

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

WP(C).No. 1482 of 2015 (I)

PETITIONER(S) :

**SINI ANTONY, AGED 33 YEARS,
W/O.K.V.ANTONY, KARINGEN HOUSE, NADUVATTAM P.O.,
MALAYATTOR, PIN-683 574.**

BY ADV. SRI.DINESH MATHEW J.MURICKEN

RESPONDENT(S) :

- 1. MALAYATTOOR NEELESWARAM GRAMA PANCHAYATH,
NEELESWARAM P.O., PIN-683 584,
REPRESENTED BY ITS SECRETARY.**
- 2. THE SECRETARY,
MALAYATTOOR NEELESWARAM GRAMA PANCHAYATH,
NEELESWARAM P.O., PIN-683 584.**
- 3. ANNAMMA,
W/O.IYPE JACOB, PALLICKAMALIL HOUSE, NADUVATTAM P.O.,
MALAYATTOOR, PIN-683 574.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P1 :** THE TRUE COPY OF THE STOP MEMO ISSUED BY 2ND RESPONDENT DATED 29-11-2014.
- EXT. P1(A) :** TRUE ENGLISH TRANSLATION OF EXHIBIT P1.
- EXT. P2 :** TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR BUILDING PERMIT FOR THE CONSTRUCTION OF THE HOUSE AND COMPOUND WALL BEFORE THE 2ND RESPONDENT DATED 10-12-2014.
- EXT. P2(A) :** TRUE ENGLISH TRANSLATION OF EXHIBIT P2.
- EXT. P3 :** TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 05-01-2015.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

A.M.SHAFFIQUE, J.

W.P.(C) No.1482 of 2015

Dated this the 15th day of January, 2015

JUDGMENT

The petitioner has approached this court challenging Ext.P1 stop memo dated 29.11.2014 issued by the Panchayath, calling upon her to stop the construction of the compound wall. It is, inter alia, observed that no permission has been obtained from the Panchayath and Rule 12 of the Kerala Panchayat Building Rules will not apply to the facts and circumstances involved in the matter.

2. The petitioner had submitted a reply but no action had been taken in the matter and therefore she has approached this court.

3. In so far as the petitioner has contended that no permission is required for the construction of the compound wall, it is for the respondents to consider the same and pass appropriate orders.

4. Having regard to the facts and circumstances, this writ petition is disposed of directing the respondents

to consider Exts.P2 and P3 and pass appropriate orders thereon within a period of one month from the date of receipt of a copy of this judgment.

Communicate the same to the respondents.

Sd/-
A.M.SHAFFIQUE,
JUDGE

//true copy//

P.S. To Judge

St/-