

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 1826 of 2015 (C)

PETITIONER:

CHANDRASHEKARAN, S/O BHASKARAN NAIR,
AGED 54 YEARS, AMAL NIVAS, BEHIND RED CROSS
BHAVAN BUILDING, NEAR MUNICIPAL GROUND,
KAKKANAD, ERNAKULAM DISTRICT.

BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA

RESPONDENTS:

1. THRIKKAKARA MUNICIPALITY REP. BY SECRETARY,
MUNICIPALITY OFFICE, THRIKKAKARA,
KAKKANAD - 682 030.
2. THE SECRETARY, THRIKKAKARA MUNICIPALITY,
MUNICIPALITY OFFICE, THRIKKAKARA,
KAKKANAD - 682 030.
3. RADHAKRISHNAN.V., S/O NIRMALA, HOUSENO.50,
1ST CROSS, SHIRDHISAI NAGAR, BANGALORE-560 045.
4. BIJI.V., W/O RADHAKRISHNAN.V., S/O NIRMALA, HOUSENO.50,
1ST CROSS, SHIRDHISAI NAGAR, BANGALORE-560 045.

R1 & R2 BY ADV. SRI.S.SHANAVAS KHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC 1826/2015

PETITIONER'S EXHIBITS:

EXT. P1 TRUE COPY OF BUILDING PERMIT DATED 05.02.2014

EXT. P2 TRUE COPY OF REPRESENTATION DATED 06.01.2015 TO THE
SECOND RESPONDENT ALONG WITH ITS RECEIPT ISSUED FROM THE
OFFICE OF THE SECOND RESPONDENT WITH ENGLISH TRANSLATION

EXT. P3 TRUE COPY OF COMPLAINT MADE TO DISTRICT COLLECTOR DATED
06.01.2015 WITH FORWARDING LETTER WITH ENGLISH TRANSLATION

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.1826 of 2015 C

Dated this the 19th day of January, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent Municipality, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the grievance of the petitioner is that respondents 3 and 4, having obtained Exhibit P1 building permit, constructed in violation thereof. Though the petitioner submitted Exhibit P2 representation to the second respondent complaining of the violations committed by respondents 3 and 4, so far no action is said to have been taken. Under those circumstances, the petitioner has approached this Court.

3. The learned Standing Counsel for respondents 1 and 2 submits that the respondent authorities would take every step to consider Exhibit P2 representation of the petitioner in accordance with law.

In the facts and circumstances, this Court, without adverting to the merits of the matter, dispose of the writ petition with a direction to the second respondent to consider Exhibit P2 representation of the petitioner in accordance with law, after affording an opportunity of being heard to the petitioner as well as respondents 3 and 4 and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of four weeks from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

tkv