

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 2195 of 2015 (Y)

PETITIONER :

**ANNIYAMMA GEORGE, AGED 65 YEARS,
W/O.GEORGE, THEVERKATTIL, THUNDIYIL VEEDU,
ANGADIKKAL MURI, MULAKUZHA VILLAGE, CHENGANNUR TALUK,
ALAPPUZHA DISTRICT.**

BY ADV. SRI.AJITH MURALI

RESPONDENTS :

- 1. THE DISTRICT COLLECTOR, ALAPPUZHA,
ALAPPUZHA DISTRICT, PIN - 688 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,
CHENGANNUR, ALAPPUZHA DISTRICT, PIN - 689 121.**
- 3. THE THAHSILDAR, TALUK OFFICE,
CHENGANNUR TALUK, ALAPPUZHA DISTRICT
PIN - 689 121.**
- 4. THE VILLAGE OFFICER,
MULAKUZHA VILLAGE, CHENGANNUR TALUK,
ALAPPUZHA DISTRICT, PIN - 689 121.**
- 5. THE SECRETARY
MULAKUZHA GRAMA PANCHAYATH, CHENGANNUR TALUK,
ALAPPUZHA DISTRICT, PIN - 689 121.**
- 6. THE SENIOR GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, ALAPPUZHA DISTRICT
PIN - 688 001.**

R1 TO R4 & R6 BY GOVERNMENT PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 2195 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: THE TRUE COPY OF THE APPLICATION SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT R.D.O. CHENGANNUR
DATED 20/11/2014.

EXT.P2: THE TRUE COPY OF THE REPORT AND MAHAZER PREPARED BY THE
4TH RESPONDENT DATED 22/11/2014.

EXT.P3: THE TRUE COPY OF THE MAHAZAER PREPARED BY THE 4TH
RESPONDENT THE PROPERTY IN RE-SY.201/5-2 OF MULAKUZHA
VILLAGE DATED 22/11/2014.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.2195 of 2015

Dated this the 21st day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue writ of Mandamus or any other appropriate writ, order direction, commanding 2nd respondent to consider Ext.P1 application on the basis of Ext.P2 and grant permission for demolish the old building and to remove and transport the building waste from the petitioner's property in Re-Sy. No.307/6 in Block No.17 of Mulakuzha Village.

ii. Issue a writ of Mandamus or any other appropriate writ, order of direction, commanding 6th respondent to grant permit to the petitioner for remove and trasport the building waste from the petitioner's property in Re-Sy. No.307/6 in Block No.17 of Mulakuzha Village, in accordance with law.

iii. Issue such other appropriate writ, order of direction as this Hon'ble Court deem fit and proper, in the circumstances of the case."

2. Heard the learned Government Pleader as well.

3. Considering the limited extent of relief sought for, this Court does not find it necessary to adjudicate the issue on merits.

4. After hearing both the sides, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P1 preferred by the petitioner, after giving an

opportunity of hearing to the petitioner and also the 5th respondent, if any, after considering all the relevant records, as expeditiously as possible, at the earliest, at any rate, within 'one month' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 2nd respondent, for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE**

sp