

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

WP(C).No. 2622 of 2015 (C)

PETITIONER :

**S.K.SAJEEV, AGED 52 YEARS,
S/O.KARUNAKARAN, FLAT NO.8B, JM PARADISE,
PALARIVATTOM, KOCHI 25.**

**BY ADVS.SRI.P.SANJAY
SMT.A.PARVATHI MENON**

RESPONDENTS :

- 1. THE DISTRICT COLLECTOR,
KOTTAYAM 686 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,
KOTTAYAM 686 001.**
- 3. VILLAGE OFFICER,
ONAMTHURUTHU VILLAGE, KOTTAYAM 686 001.**
- 4. JOY CHEMMACHEL, JYES FARMS,
ONAMTHURUTHU VILLAGE, KOTTAYAM 686 013.**
- 5. JOSE KUDILIL
PRESIDENT, NEENDUR PANCHAYAT, KOTTAYAM 686 031.**
- 6. NEENDUR PANCHAYAT, NEENDUR
KOTTAYAM REPRESENTED BY ITS SECRETARY. 686 031.**

R1 TO R3 BY GOVERNMENT PLEADER SRI. K.C. VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 2622 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: COPY OF THE PHOTOGRAPHS SHOWING THE ACTIVITIES
CONDUCTED BY THE 4TH RESPONDENT.**

EXHIBIT P2: COPY OF THE REPRESENTATION DATED 10.10.14.

**EXHIBIT P3: COPY OF THE REPRESENTATION DATED 10.01.2015 TOGETHER WITH
THE POSTAL RECEIPT.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.2622 of 2015

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Dated this the 27th day of January, 2015

JUDGMENT

The petitioner has approached this Court against the illegal filling up of paddy land by the 4th respondent with the consent and connivance of respondents 5 and 6, who are the President and Secretary of the concerned Panchayat. Many a representation has already been filed by the petitioner before the concerned respondent, which, however, is still to be acted upon and hence the writ petition.

2. Heard the learned Government Pleader as well.

3. The learned counsel for the petitioner submits that Ext.P3 preferred by the petitioner before the 2nd respondent and is still pending that the petitioner will be satisfied if a direction is given to the 2nd respondent to have it considered and finalised within a reasonable time.

4. The learned Government Pleader appearing for the respondents 1 to 3 submits that, the competent authority to deal with the matter in terms of Act 28 of 2008 is none other than the

1st respondent. In the said circumstance, the petitioner is set at liberty to file a fresh representation before the 1st respondent and if any such representation is filed before the 1st respondent within 'ten days' from the date of receipt of a copy of the judgment, the same shall be considered and appropriate orders shall be passed in accordance with law, after affording an opportunity of hearing to the petitioner and respondents 4 to 6 concerned, at the earliest, at any rate, within a period of 'one month' from the date of receipt of a copy of the representation as above. The petitioner shall produce a copy of the judgment, along with a copy of the writ petition, before the first respondent for further steps.

The writ petition is disposed of.

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

sj