

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No. 3356 of 2015 (T)

PETITIONER(S):

**VIJAYAN PILLAI, AGED 45,
S/O DAMODARAN PILLAI, MURALEE BHAVANM,
THENGAMAM P.O., PALLIKKAL.**

**BY ADVS.SMT.T.S.MAYA (THIYADIL)
SRI.P.YAHAMMED PHYSI**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
PATHANAMTHITTA - 689 645.**
- 2. THE REVENUE DIVISIONAL OFFICER,
ADOOR - 691 523.**
- 3. THE THAHSILDAR, ADOOR PIN - 691 523.**
- 4. PALLICKAL GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY,
ADOOR, PIN - 690 503.**

BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 3356 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: THE COPY OF THE SALE DEED DATED 29.9.2010.

EXHIBIT P2: THE COPY OF THE JUDGMENT DATED 9.10.2003 IN OS NO.121/2003.

EXHIBIT P3: COPY OF THE COMMISSION ORDER OS 447/2014.

**EXHIBIT P4: COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE
1ST RESPONDENT AND ITS POSTAL RECEIPT DATED 21.11.2014.**

**EXHIBIT P5: COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE
2ND RESPONDENT AND ITS POSTAL RECEIPT DATED 21.11.2014.**

**EXHIBIT P6: COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE
3RD RESPONDENT AND ITS POSTAL RECEIPT DATED 21.11.2014.**

**EXHIBIT P7: COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE
4TH RESPONDENT AND ITS POSTAL RECEIPT DATED 21.11.2014.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.3356 OF 2015

Dated this the 3rd day of February, 2015

J U D G M E N T

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The petitioner has approached this Court with the following prayer:

- “i) Issue a writ of Mandamus order or direction, to the respondents direct them to consider petitioner's Ext.P4 to P7 petitions pending before them and to hear the petitioner before taking any action regarding the widening of Panchayat road by encroaching petitioner's property.

2. The learned counsel for the petitioner points out that the grievance projected in the Writ Petition has also been highlighted by virtue of Ext.P4, which is pending consideration before the 1<sup>st</sup> respondent. It is stated that a direction may be given to the 1<sup>st</sup> respondent to consider and dispose of the same within a reasonable time.

3. Heard the learned Government Pleader as well.

4. In view of the limited relief sought for, this Court does not find it necessary to decide the issue on merits so also it is not necessary to issue notice to the 4<sup>th</sup> respondent for the

time being. This Writ Petition is disposed of directing the 1<sup>st</sup> respondent to consider and pass appropriate orders on Ext.P4, in accordance with law, after affording an opportunity of hearing to the petitioner and also to the the 4<sup>th</sup> respondent. This shall be done, at the earliest, at any rate, within two months from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment along with a copy of the Writ Petition before the 1<sup>st</sup> respondent for further steps.

sd/-

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

ps/3/2/2015