

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 3820 of 2015 (B)

PETITIONER(S):

DAISY THOMAS AGED 60 YEARS
W/O.FR.THOMAS CHARAKUNNEL,
NO.2 ARCHANA HOUSE,
KEDARI NAGAR, VANAVADI, PUNE
MAHARASHTRA-411 040

BY ADV. SRI.DEEPU THANKAN

RESPONDENT(S):

1. CHAIRMAN, LOCAL LEVEL MONITORING COMMITTEE,
KIZHAKKAMBALAM GRAMA PANCHAYATH - 683 562.
2. THE AGRICULTURAL OFFICER,
BHAVAN, KIZHAKKAMBALAM-683562
3. KIZHAKKAMBALAM GRAMA PANCHAYATH
KIZHAKKAMBALAM, REP: BY ITS SECRETARY- 683562
4. THE VILLAGE OFFICER
KIZHAKKAMBALAM-683 562

R2 & 4 BY GOVERNMENT PLEADER SRI.K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 3820 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF POSSESSION CERTIFICATE ISSUED BY THE 4TH
RESPONDENT DATED 21.6.2013.

EXHIBIT P2: TRUE COPY OF THE COMMUNICATION OF THE 3RD RESPONDENT DATED
20.1.2014

EXHIBIT P.3: TRUE COPY OF THE REQUEST SUBMITTED TO THE 2ND RESPONDENT
DATED 14.05.2013

EXHIBIT P.4; TRUE COPY OF THE APPLICATION SUBMITTED BY THE HUSBAND OF THE
PETITIONER DATED 1.10.2014

EXHIBIT P.5: TRUE COPY OF THE COVERING LETTER DATED 30.1.2015

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

so.

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 3820 of 2015

Dated this the 6th day of February, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

- “(i) Issue a writ of mandamus of any other appropriate writ or direction directing the 1st respondent to consider Ext.P4 application submitted by the husband of the petitioner and delete his property (6 cents of land situated in resurvey No.247/8-9 in block No.25 of Kizhakkambalam Grama Panchayat) from the data bank;*
- (ii) Issue a writ of mandamus or any other appropriate writ or direction directing the 1st respondent to communicate the decisions taken in Ext.P4 application submitted by the husband of the petitioner to the 3rd respondent and further direct the 3rd respondent to grant a building permit on the basis of the order issued in Ext.P4;*
- (iii) Issue a writ of certiorari or any other appropriate writ or direction calling for the records leading to Exhibit P2 and quash the same.”*

2. When the matter is taken up for consideration, the learned counsel for the petitioner submits that, petitioner's husband submitted an application for deleting the name of the petitioner's property (6 cents of land situated in resurvey No.247/8-9 in block No.25 of Kizhakkambalam Grama Panchayat) from the Data Bank Register by way of Ext.P4,

which is pending consideration before the 1st respondent. The petitioner will be satisfied if a direction is given to the 1st respondent to have it considered and finalised within a reasonable time.

3. Heard the learned Government Pleader as well.

4. After hearing both sides, the writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P4, in accordance with law, after conducting a site inspection with notice to the petitioner. It shall be done, as expeditiously as possible, and at any rate, within a period of '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 this writ petition before the 1st respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE