

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(C).No. 8071 of 2012 (H)

PETITIONER(S) :

**THOMAS VARUGHESE,
NAKKATTU KAVUNKAL, PRESIDENT,
MAHANIYAM PENTECOSTAL CHURCH, REGISTER NO. P 354,
BOUNDARY, PEZHUMPARA.P.O., PIN-689 662.**

BY ADV. SRI.VETTATH EAPEN MATHAI

RESPONDENT(S) :

- 1. THE STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.-1.**
- 2. DISTRICT COLLECTOR,
COLLECTORATE OFFICE, PATHANAMTHITTA-689 645.**

BY GOVERNMENT PLEADER SMT.ANITHA RAVEENDRAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1:** PHOTOCOPY OF THE APPLICATION FOR PERMIT AND REGULARIZATION OF THE PRAYER HALL SUBMITTED BY THE PETITIONER BEFORE THE PANCHAYATH DATED 15-07-2011.
- EXT.P2:** PHOTOCOPY OF THE REPRESENTATION DATED 05-01-2012 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.
- EXT.P3:** PHOTOCOPY OF THE LETTER DATED 08-03-2012 ISSUED BY THE SECRETARY, VADASSERIKARA GRAMA PANCHAYAT TO THE 2ND RESPONDENT.
- EXT.P4:** PHOTOCOPY OF THE CASH RECEIPT FOR RS. 10,000/- DATED 17-02-2012 ISSUED FROM TREASURY RANNI, PERUNAD.
- EXT.P5:** PHOTOCOPY OF THE NO OBJECTION CERTIFICATE DATED 06-03-2012 ISSUED BY THE ASSISTANT DIVISIONAL OFFICER, FIRE AND RESCUE SERVICE, PATHANAMTHITTA.
- EXT.P6:** PHOTOCOPY OF THE FIRE DRAWING PLAN PERMITTED AND SANCTIONED BY BOTH THE ASSISTANT DIVISIONAL OFFICER OF FIRE AND RESCUE SERVICE, PATHANAMTHITTA AND SECRETARY VADASSERIKKARA GRAMA PANCHAYATH.
- EXT.P7:** PHOTOCOPY OF THE TAX RECEIPT DATED 21-03-2011.
- EXT.P8:** PHOTOCOPY OF THE POSSESSION CERTIFICATE DATED 19-07-2011 ISSUED FROM THE VILLAGE OFFICE, VADASSERIKKARA.
- EXT.P9:** PHOTOCOPY OF THE LETTER DATED 08-01-2012 OF LOCAL MLA.
- EXT.P10:** PHOTOCOPY OF THE LOCAL PANCHAYAT VICE PRESIDENT'S LETTER DATED 20-04-2011.
- EXT.P11:** PHOTOCOPY OF THE LETTER DATED 12-01-2012 OF THE BLOCK MEMBER OF VADASSERIKKARA GRAMA PANCHAYAT.
- EXT.P12:** PHOTOCOPY OF THE REPRESENTATION DATED 01-03-2012 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 8071 of 2012

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Dated, this the 23rd day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

- (i) Issue a writ of mandamus or any other appropriate writ, order or direction directing the 2nd respondent to sanction of Ext. P1 approved plan of the Secretary. Vadasserikkara Grama Panchayath for the construction of a prayer hall.
- (ii) Issue any other writ, order or directions that this Hon'ble Court would please.

2. The learned counsel for the petitioner submits that the grievance of the petitioner is with regard to non-sanctioning of Ext. P1 approved plan by the second respondent, and that the only prayer is to cause the same to be considered by the said respondent within a reasonable time.

3. Heard the learned Government Pleader as well.

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

writ petition is disposed of, directing the second respondent to consider and pass appropriate orders in pursuance of Ext. P1 approved plan, after affording an opportunity of hearing to the petitioner and other interested parties, if any, at the earliest, at any rate, within six weeks from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment along with copy of the writ petition before the second respondent for further steps.

Sd/-

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

kmd