

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 4485 of 2015 (I)

PETITIONER(S):

**N SUBRAMANYA SHARMA, AGED 58 YEARS,
S/O.NARAYANA MOOSATH, RESIDING AT SUBHODAYA, 22/827,
THIRUVANNUR NADA, KOZHIKKODE DISTRICT, PIN - 673 029.**

BY ADV. SRI.D.NARENDRANATH

RESPONDENT(S):

- 1. THE PUBLIC INFORMATION OFFICER,
ASSISTANT EXECUTIVE ENGINEER, PH SUB DIVISION,
KERALA WATER AUTHORITY, THIRUVALLA, PIN - 689 510.**
- 2. THE STATE PUBLIC INFORMATION OFFICER, KERALA WATER AUTHORITY,
VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN - 689 033.**
- 3. THE CHIEF INFORMATION COMMISSIONER,
OFFICE OF THE STATE INFORMATION COMMISSION OF KERALA,
T.C.26/298, THIRUVANANTHAPURAM - 695 039**

**R1 & R2 BY SRI.GEORGE MATHEW, SC
R3 BY SRI.M.AJAY, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 4485 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT. P1- A TRUE COPY OF THE APPEAL SUBMITTED BY THE PETITIONER BEFORE
THE THIRD RESPONDENT DATED 21.6.2013.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 4485 of 2015

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Dated, this the 13th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

"(i) A writ of mandamus or any other appropriate writ, direction or order directing the third respondent to dispose of Ext. P1 at the earliest.

(ii) any other appropriate writ, direction or order as necessary in the facts and circumstances of the case.

2. The learned counsel for the petitioner submits that there is inordinate delay on the part of 3rd respondent in considering Ext. P1 appeal.

3. The learned standing counsel for the respondents submits that the idea and understanding of the petitioner is quite wrong and misconceived. Eventhough the petitioner has styled it as an appeal, when the petitioner approached the concerned respondent, he was let known that the petitioner had to file first appeal before the first appellate authority. Since such a course was not pursued, the proceedings filed by the petitioner was finalized on 08.05.2014, based

on the available materials on record and perusing the relevant file, whereby it was found that there was no room for any complaint and as such, it was held that the proceeding filed by the petitioner was not liable to be sustained. The said order dated 08.05.2014 was despatched on 13.05.2014. The learned counsel for the petitioner submits that the said order has not been received by the petitioner so far.

4. The learned standing counsel for the respondents handed over a copy of the said order to the petitioner and submits that a certified copy of the order will be forwarded to the petitioner forthwith. The said submission is recorded.

5. In the above circumstances, this Court finds that nothing further remains to be considered. The writ petition is disposed of, without prejudice to the rights and liberties of the petitioner to challenge the aforesaid order dated 08.05.2014, if aggrieved, in accordance with law.

Sd/-

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

kmd