

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

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

WP(C).No.4702 of 2015 (K)

PETITIONER:

**P.U.MENON,AGED 82 YEARS,JYOTHIS,
HOUSE NO.11,YAMUNA COLONY,
KUDAPPANAKKUNNU P.O,THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SASITH PANICKER

RESPONDENTS:

**PALAKKAD MUNICIPALITY,REPRESENTED BY ITS SECRETARY,
PALAKKAD-678001.**

BY SRI.T.C.SURESH MENON,S.C.

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

pk

WP(C).No.4702 of 2015 (K)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER TO
THE RESPONDENT.**

EXT.P1(a):TRUE COPY OF ENGLISH TRANSLATION OF EXT.P1.

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

pk

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 4702 of 2015

Dated this the 13th day of February, 2015

J U D G M E N T

Aggrieved by the non-consideration of Ext.P1 representation by the respondent municipality, the petitioner has come up before this Court.

2. The petitioner purchased 4 plots of 10 cents each in Palakkad District in Meera Nagar in 1982 as per Document No.4878 of 1982 of the SRO Palakkad within the limits of the respondent municipality. In 1992, he sold out three plots. The petitioner alleges that in 1992, the respondent marked 2.32 cents of property on the southern side of the Plot No.16 for acquisition for 5m wide road. Later, in 1992, the petitioner sold out the remaining 7.68 cents of property and he is having balance of 2.32 cents in plot no.16; according to the petitioner. The petitioner alleges that the respondent municipality has taken the aforesaid 2.32 cents of land without his consent and converted the same to widen the existing road to 5 meters. According to the petitioner, he has not dedicated any part of his property to the respondent; and the respondent or the

..2..

Government has not issued any notice of acquisition; and no compensation either under the Land Acquisition Act or the Land Acquisition, Rehabilitation and Resettlement Act, 2013, has been paid. The petitioner's grievance is that though he has submitted Ext.P1 representation before the respondent municipality, the respondent has not taken any action to consider the same till date. It is with this background, the petitioner has come up before this Court.

As the limited prayer in this writ petition is only for a consideration of Ext.P1 representation submitted by the petitioner, the writ petition is disposed of directing the respondent municipality to consider and pass appropriate orders on Ext.P1 within a period of three months from the date of receipt of a copy of this judgment, after affording the petitioner an opportunity of being heard. To facilitate an early action, the petitioner shall be at liberty to produce a copy of Ext.P1 representation along with a copy of this judgment.

Sd/-

A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-