

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No. 5092 of 2015 (J)

PETITIONER :

**MATHAI, S/O.AGASTHI,
VARIYATHU HOUSE, KEERAMPARA VILLAGE,
KOTHAMANGALAM TALUK, ERNAKULAM.**

BY ADV. SMT.CHINCY GOPAKUMAR

RESPONDENT(S):

- 1. VILLAGE OFFICER, KEERAMPARA VILLAGE,
KOTHAMANGALAM TALUK, ERNAKULAM, PIN-689 691**
- 2. THE GEOLOGIST,
REGIONAL OFFICE, COLLECTORATE, KAKKANAD,
ERNAKULAM, PIN-682 030**
- 3. REVENUE DIVISIONAL OFFICER,
MINI CIVIL STATION, PEZHAKKAPALLY,
MUVATTUPUZHA, PIN-686 661**

R1 TO R3 BY SR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.5092 of 2015

Dated this the 27th day of February, 2015.

JUDGMENT

The petitioner is the owner of the property having an extent of 1.59 Hectors of land in Sy.Nos. 611/A/251/102 & 611/1A/1 in Keerampara Village, which is being enjoyed by him, also satisfying tax as borne by Ext.P1. Ext.P2 photographs show the lie and location.

2. Grievance of the petitioner is that, a large granite rock is situated in the property belonging to the petitioner, which virtually blocks the access and unless the said rock is blasted off and removed to an extent of nearly 2 feet deep and for 10 feet length, no proper pathway could be set up. But, by virtue of relevant provisions of law, the petitioner cannot do such exercise without permission of the Geologist. So as to satisfy the requirement of the Geologist, the petitioner requires a 'genuineness certificate', to be issued by the first respondent/Village Officer. It is in the said circumstance, that the petitioner has approached the first respondent by

submitting Ext.P3 representation on 24.3.2014, seeking to conduct a local inspection and to issue necessary certificates in this regard. It is still to be acted upon and hence this writ petition.

3. Heard the learned Government Pleader as well.

4. The learned counsel for the petitioner submits that after filing the writ petition, the first respondent/Village Officer visited the premises of the petitioner yesterday.

5. The writ petition stands disposed of, directing the first respondent to pass appropriate orders on Ext.P3, pursuant to the inspection stated as conducted, and the certificate as to the genuineness, if established, shall be given to the petitioner, at the earliest, at any rate, within 'one month' from the date of receipt of a copy of this judgment.

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

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

Scl.