

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

WP(C).No. 5467 of 2015 (G)

PETITIONER : -

MUHAMMED ALI K.K,
KALATHINALMUNDETH HOUSE,
OOTTIMATTAM, VENGOLA P.O.,
ERNAKULAM DISTRICT-683 554.

BY ADV.SRI.P.BABU KUMAR

RESPONDENTS :-

1. ERNAKULAM DISTRICT MINI INDUSTRIAL ESTATE CO-OPERATIVE
SOCIETY LTD.NO.S.IND(E)54, REP.BY ITS MANAGING DIRECTOR,
MARKET ROAD, ALUVA, ERNAKULAM-683 101.
2. GENERAL MANAGER,
ERNAKULAM DISTRICT INDUSTRIES CENTRE,
KAKKANAD, ERNAKULAM-682 021.
3. V.A.ABDUL GAFOOR,
VELUTHEDATH HOUSE, PALLIKKAVALA,
MUDICKAL P.O., PERUMBAVOOR,
ERNAKULAM-683 542.

R1 BY ADV.SRI.T.MADHU
R1 BY ADV.SRI.P.O.THOMAS
BY GOVERNMENT PLEADER SRI. G. GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 5467 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : COPY OF THE INTIMATION ISSUED BY THE 1ST RESPONDENT
DATED 18.11.2014.

EXHIBIT P2 : COPY OF THE WRITTEN REQUEST ALONG WITH THE
REPRESENTATIONS FILED BY THE PETITIONER BEFORE VARIOUS
AUTHORITIES AND REPLIES DATED 26.11.2014.

EXHIBIT P3 : COPY OF THE INTIMATION ISSUED BY THE 1ST RESPONDENT
DATED 15.12.2014.

EXHIBIT P4 : COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT DATED NIL.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 5467 of 2015

Dated this the 04th day of August, 2015

JUDGMENT

Heard the learned counsel for the petitioner, the learned Counsel for the respondent, as well as the learned Government Pleader, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The petitioner, who is running a small scale industry, is said to have applied to the first respondent for allotment of industrial land. When both the petitioner and third respondent submitted applications for allotment, the respondent authorities are said to have preferred the third respondent by allotting him an industrial shed.

3. It is the contention of the petitioner that the third respondent sold it away for a huge margin and applied once again for second allotment. Contending that ignoring the

petitioner's claim, the respondents trying to accommodate the third respondent for the second time is clearly in violation of Article 14 of the Constitution of India, the petitioner has submitted Exhibit P4 application before the second respondent. Seeking its expeditious disposal, the petitioner has filed the present writ petition.

4. The learned Government Pleader, on his part, in response to the submissions made by the learned counsel for the petitioner, has submitted that the second respondent does not have any objection to dispose of Exhibit P4 expeditiously.

5. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader, this Court, without expressing any opinion on the merits of the matter, disposes of the present writ petition with a direction to the second respondent to consider petitioner's Exhibit P4 representation in accordance with law, after affording an opportunity of hearing to the petitioner, and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of six weeks from the date of

receipt of a copy of this judgment.

With the above observation, this writ petition is disposed of. No order as to costs.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-