

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 5687 of 2015 (I)

PETITIONERS:

- 1. SANKARAN KORAMBAYIL, AGED 46 YEARS
MEMBER WARD NO.VII, PANDIKKAD GRAMA PANCHAYAT
PANDIKKAD POST, MALAPPURAM DISTRICT.**
- 2. K.HARIDASAN
KOOTTILINGAL HOUSE, VALARAD, PANDIKKAD P.O.
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.K.VIJAYAMOHANAN
SRI.GILBERT GEORGE CORREYA
SRI.NISHIL.P.S.
SRI.ANTONY ROBERT DIAS**

RESPONDENTS:

- 1. THE STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT
LOCAL SELF GOVERNMENT (EM) DEPARTMENT
GOVERNMENT SECRETARIAT ANNEXE
THIRUVANANTHAPURAM-695001.**
- 2. THE DIRECTOR OF PANCHAYATS
PANCHAYAT DIRECTORATE, THIRUVANANTHAPURAM-695001.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE GAZETTE NOTIFICATION NO.179 DATED 25.1.2015 AND THE RELEVANT PORTION OF THE SCHEDULE ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P1(A):TRUE ENGLISH TRANSLATION OF EXT.P1.

EXHIBIT P2: TRUE COPY OF THE GAZETTE NOTIFICATION NO.180 DATED 25.1.2015 AND THE RELEVANT PORTION OF THE SCHEDULE ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P2(A):TRUE ENGLISH TRANSLATION OF THE RELEVANTG PORTION OF EXT.P2.

EXHIBIT P3: THE SKETCH SHOWING THE DISTRIBUTION OF THE LANDED AREA, IF THE PROPOSED BIFURCATION OF THE PANDIKKAD GRAMA PANCHAYAT IS EFFECTED.

EXHIBIT P4: TRUE COPY OF THE PROPOSAL SUBMITTED BY THE 2ND PETITIONER BEFORE THE 2ND RESPONDENT ON BIFURCATION OF THE PANDIKKAD GRAMA PANCHAYAT.

EXHIBIT P(A): TRUE ENGLISH TRANSLATION OF EXT.P4.

EXHIBIT P5: THE SKETCH SHOWING THE PARENT GRAMA PANCHAYAT AFTER BIFURCATION.

EXHIBIT P6: THE SKETCH SHOWING THE PROPOSED NEW GRAMA PANCHAYAT AFTER BIFURCATION.

EXHIBIT P7: TRUE COPY OF THE OBJECTION DATED 9.2.2015 FILED BY THE 1ST PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

STK

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 5687 of 2015

Dated this the 24th day of February, 2015

J U D G M E N T

The petitioners have approached this Court seeking for a direction to the 1st respondent to consider Ext.P7 after affording an opportunity of hearing to the petitioners or their representatives.

2. The petitioners are the residents of Pandikkad Grama Panchayath, Malappuram District. The 1st petitioner is a resident of Ward No.VI and the elected member from Ward No.VII to the Panchayath Committee. The 2nd petitioner is a teacher and a social worker. He has submitted proposals for the scientific organization of the panchayat. The petitioners are aggrieved by the proposal for the bifurcation of the Pandikkad Gramapanchayath to form a new panchayath proposed as the Chembrassery Gramapanchayath with headquarters at Kodassery, which, according to the petitioners, in a manner causing most inconvenience and against the guidelines of the

..2..

Government. The petitioners' grievance is that though they have filed Ext.P7 objection before the 1st respondent against the proposal for bifurcation as proposed in Exts.P1 and P3, the same has not been considered till date. It is in this context, the petitioners have come up before this Court.

3. Today, when the matter came up for hearing, the learned counsel for the petitioners submitted that the petitioners would be satisfied if a direction is given to the 1st respondent to consider and pass appropriate orders on Ext.P7 objection.

Therefore, the writ petition is disposed of directing the 1st respondent to consider and pass appropriate orders on Ext.P7 after affording the petitioners and other affected parties an opportunity of being heard within a period of two months from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-