

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C).No. 6716 of 2015 (L)

PETITIONER:

**M.M.AMEER MOHAMMED MANZOOR, AGED 52,
S/O.MOHAMMED IBRAHIM, PROPRIETOR,
MOHAMMED JAMALUDDIN & CO., IX/2529,
MUNNAR GRAMA PANCHAYATH, MUNNAR.**

**BY ADVS.SRI.PRAVEEN K. JOY
SRI.TA.JOY**

RESPONDENT(S):

- 1. MUNNAR GRAMA PANCHAYATH,
MUNNAR, REP. BY ITS SECRETARY - 685 612.**
- 2. THE SECRETARY,
MUNNAR GRAMA PANCHAYATH,
MUNNAR, IDUKKI DISTRICT- 685 612.**
- 3. THE TAHSILDAR, DEVIKULAM TALUK,
IDUKKI DISTRICT - 685 612.**
- 4. THE VILLAGE OFFICER, KDH VILLAGE,
MUNNAR, IDUKKI DISTRICT - 685 612.**

**R1 & R2 BY ADV. SRI.ARUN THOMAS, SC
BY ADV. SRI.SANTHOSH MATHEW
R3 & R4 BY SENIOR GOVERNMENT PLEADER SMT.C.K.SHERIN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P-1: TRUE PHOTOCOPY OF THE LICENSE DATED 17.7.2014 OF THE 1ST RESPONDENT.
- EXT.P-2: TRUE PHOTOCOPY OF THE LICENSE DATED 10.2.2014 OF THE 1ST RESPONDENT.
- EXT.P-3: TRUE COPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT DATED 10.2.2014 FOR THE YEAR 2013 - 14.
- EXT.P-4: TRUE PHOTOCOPY OF THE LICENSE DATED 17.8.2012 OF THE 2ND RESPONDENT.
- EXT.P-5: TRUE PHOTOCOPY OF THE BUILDING TAX RECEIPT DATED 22.7.11 OF THE 2ND RESPONDENT.
- EXT.P-6: TRUE PHOTOCOPY OF THE RECEIPT DATED 10.2.2014 OF THE 2ND RESPONDENT.
- EXT.P-7: TRUE COPY OF THE RECEIPT DATED 17.8.2012 OF THE 2ND RESPONDENT.
- EXT.P-8: TRUE PHOTOCOPY OF THE LICENSE DATED 23.7.11 OF THE RESPONDENT.
- EXT.P-9: TRUE PHOTOCOPY OF THE APPLICATION BEFORE THE 2ND RESPONDENT.
- EXT.P-10: TRUE COPY OF THE PETITION BEFORE THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

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DAMA SESHADRI NAIDU, J.

W.P.(c) No. 6716 of 2015

Dated this the 24th day of March, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Standing Counsel as well as the learned Government Pleader for the respondents, 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, running a provisional store in Building No. MGP IX/2529 within the territorial limits of the respondent Grama Panchayat, has applied through Exhibit P9 to the second respondent for permit to cover the roof of the building with Aluminium sheets. Questioning the inaction of the second respondent in disposing of Exhibit P9 application, the petitioner has filed the present writ petition.

3. The learned counsel for the respondent Grama Panchayat has submitted that the second respondent has

come to realize on verification of the records that so far the Grama Panchayat has not received Exhibit P9 application. He has further submitted that, if the petitioner re-submits an application along with a drawing of the proposed roof prepared by an approved Engineer, it shall be considered in accordance with law. He has also submitted that for the purpose of verification, the petitioner is required to submit the tax receipts issued by the Village Officer concerned.

4. The learned counsel for the petitioner has readily agreed to re-submit Exhibit P9 along with the necessary documents, as has been required by the respondent Grama Panchayat.

5. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Standing Counsel, as well as the learned Government Pleader for the respondents, this Court disposes of the writ petition, leaving it open for the petitioner to file an application along with the necessary documents seeking necessary permit to fix the roof to his building. Once the second respondent receives and application from the petitioner, needless to observe, he shall

process the same and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of one month from the date of receipt of the application from the petitioner.

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

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-