

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 7357 of 2015 (T)

PETITIONER(S) :

- 1. PUSHPAMMA
D/O. BHARGAVI,
AGED 74 YEARS, "SIVAM", OLLAL
KOONAYL, PARAVOOR, KOLLAM.**
- 2. K.VIJAYAKUMAR,
S/O. KARUNAKARAN, AGED 51 YEARS
OLLAL VALIYAVEETIL THEKKATHIL
KOONAYL CHERRY, PARAVOOR, KOLLAM.**

**BY ADVS.SRI.PRATHEESH P.
SMT.S.SEETHA**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
CIVIL STATION, KOLLAM - 691 013.**
- 2. THE REVENUE DIVISIONAL OFFICER
CIVIL STATION, KOLLAM - 691 013.**
- 3. THE SECRETARY
PARAVOOR MUNICIPALITY,
PARAVOOR, KOLLAM - 691 301.**
- 4. THE DISTRICT OFFICER
GROUND WATER DEPARTMENT, HIGH SCHOOL JUNCTION
THEVALLY P.O., KOLLAM - 691 013.**
- 5. N.S.SUSHAMAN
VAZHAVILA, OLLAL, KOONAYL
PARAVOOR, KOLLAM - 691 301.**

**R1, R2 & R4 BY GOVT. PLEADER SRI. M. MUHAMMED SHAFI
R3 BY ADV. SRI.AYYAPPAN SANKAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 7357 of 2015 (T)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1 - THE COPY OF THE MASS REPRESENTATION FILED BY THE LOCAL
RESIDENCE ALONG WITH THE PETITIONRS BEFORE THE 1ST
RESPONDENT DT. 2.3.15.**
- EXT. P2 - THE COPY OF THE REPRESENTATION FILED BEFORE THE 2ND
RESPONDENT AND THE DIRECTION GIVEN BY THE 2ND RESPONDENT
TO THE 3RD RESPONDENT.**
- EXT. P3 - THE COPY OF THE NOTICE DT. 03.3.15 ISSUED BY THE 3RD
RESPONDENT TO THE 5TH RESPONDENT TO ABSTAIN FROM THE
DIGGING OF A BOREWELL TILL 09.3.15.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 7357 of 2015

Dated this the 20th day of March, 2015

J U D G M E N T

Th petitioners have approached this Court with the following prayers:

- “i. To issue a writ of mandamus or any other order commanding the 4th respondent to conduct a feasibility study and the grievance of the local residence before issuing permit for borewell.*
- ii. To issue a writ of mandamus or any other order commanding the respondents 1 to 4 to consider and pass orders in Ext.P1 and P2 representations.*
- iii. To issue such other orders as this Hon'ble court may deem fit to issue in the fact and circumstances of this case.”*

2. The learned counsel for the petitioners submits that, the petitioners have expressed the grievance with regard to the digging of a borewell in Ext.P1 representation, which is pending considering before the 1st respondent. The grievance of the general public has been projected in the said representation. It is stated that the petitioners will be satisfied, if a direction is issued to the 1st respondent to have it considered and disposed of within a reasonable time.

3. Heard the learned counsel for the petitioners, the learned counsel for the 3rd respondent Municipality and also the learned Government Pleader.

4. Considering the limited extent of relief sought for, this Court does not find it necessary to adjudicate the issue on merits. The writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P1, in accordance with law, after affording an opportunity of hearing to the petitioners, 3rd respondent and the 5th respondent. It shall be done, at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of the judgment.

The petitioners shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.