

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No. 11835 of 2009 (Y)

PETITIONER(S):

**MATTATHUR GRAMA PANCHAYATH,
REPRESENTED BY THE SECRETARY,
P.O.MATTATHUR, THRISSUR DISTRICT.**

**BY ADVS. SRI. M.R.VENUGOPAL
SRI. DHANYA P.ASHOKAN**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
THIRUVANANTHAPURAM.**
- 2. THE TRIBUNAL FOR LOCAL SELF GOVT. INSTITUTIONS,
THIRUVANANTHAPURAM.**
- 3. RAZAK C.M.,
CHEMBOTHUPARAMBIL, P.O.PADY,
KODALI, THRISSUR DISTRICT.**
- 4. BASHEER C.M.,
CHEMBOTHUPARAMBIL, P.O.PADY,
KODALI, THRISSUR DISTRICT.**
- 5. KABIR C.M.,
CHEMBOTHUPARAMBIL, P.O.PADY,
KODALI, THRISSUR DISTRICT.**
- 6. RAJU C.M.,
CHEMBOTHUPARAMBIL, P.O.PADY,
KODALI, THRISSUR DISTRICT.**

**7. SHAJU C.M.,
CHEMBOTHUPARAMBIL, P.O.PADY,
KODALI, THRISSUR DISTRICT.**

**R1 BY GOVERNMENT PLEADER SRI. P.V. ELIAS
R3 TO R7 BY ADV. SRI.GEORGE VARGHESE (MANACHIRACKEL)**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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C.K. ABDUL REHIM, J.

WP(C)No.11835 of 2009

Dated this the 12th day of January, 2015

JUDGMENT

Challenge in this writ petition is against Exts.P12 and P12(a) orders issued by the Tribunal for Local Self Government Institutions, Thiruvananthapuram. By the said orders, the Tribunal had reversed the decision taken by the Panchayat refusing building permit on the ground that the proposed site is involved in the acquisition proceedings. The Tribunal had also set aside a subsequent order passed by the petitioner Panchayat imposing a condition insisting upon the parties to execute an undertaking to demolish the construction at their own expenses without claiming any compensation in case acquisition of the land is effected. It is submitted by both sides that based on Exts.P12 and P12 (a) orders of the Tribunal, the petitioner Panchayat had granted permit for construction of the commercial building and the construction now stands completed.

2. Under the above mentioned circumstances, the writ petition has become virtually infructuous. Therefore, the writ petition is hereby dismissed as infructuous.

**Sd/-C.K. ABDUL REHIM
JUDGE**

MJL