

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

WP(C).No. 7594 of 2015 (Y)

PETITIONER:

**JAMA-ATH COUNCIL SOCIAL WELFARE TRUST DWARAKA
BEACH ROAD, ALAPPUZHA-688001
REPRESENTED BY ITS CHAIRMAN, NAZEER PUNNAKKAL, AGED 49 YEARS
S/O.ABDUL AZEEZ PUNNAKKAL, VALIAMARAM WARD
ALAPPUZHA.**

**BY ADVS.SRI.P.SHANES METHAR
SRI.BENSON J LAWRANCE**

RESPONDENTS:

- 1. THE DISTRICT COLLECTOR
ALAPPUZHA-688001.**
- 2. THE THAHSILDAR
AMBALAPPUZHA TALUK, AMBALAPPUZHA TALUK OFFICE
ALAPPUZHA-688001.**
- 3. MOLLY KURIEN
W/O.KURIEN, KALAVARA VETTIL, KAYAL CHIRAYIL
ZILLA COURT WARD, ALAPPUZHA-688002.**

BY GOVERNMENT PLEADER SRI.K.C. VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE SALE DEED NO.2203/2012 OF S.R.O., ALAPPUZHA.

**EXHIBIT-P2: TRUE COPY OF THE ORDER NO.C4 57235/12/LDIS DATED 4.4.2013 OF
THE DISTRICT COLLECTOR, ALAPPUZHA.**

**EXHIBIT-P3: TRUE COPY OF THE LETTER NO.C4-28112/2013 DATED 11.06.2013 OF
THE DISTRICT COLLECTOR, ALAPPUZHA.**

**EXHIBIT-P4: TRUE COPY OF THE APPEAL/ REPRESENTATION DATED 4.3.2014
BEFORE THE 2ND RESPONDENT.**

EXHIBIT-P5: TRUE COPY OF THE RECEIPT.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

P.R.RAMACHANDRA MENON, J.

W.P.(C) No. 7594 of 2015

Dated this the 10th day of March, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

- "A. Issue a writ of mandamus or any other appropriate writ, order or directions commanding the 2nd respondent to take up consider and pass orders in Ext.P4 in accordance with law within a time frame fixed by this Hon'ble Court.
- B. To grant such other reliefs which this Hon'ble Court deems fit and proper."

2. The grievance of the petitioner is mainly with regard to the highhanded activity done by the 3rd respondent whereby a part of the 'puramboke' property has been encroached into and reduced into her possession which has quite adversely affected the rights and interest of the petitioner in having access to the property belong to the petitioner. It is pointed out that the grievance of the petitioner has already been projected by Ext.P4

representation dated 4.3.2014 before the 2nd respondent. Prayer is to cause the same to be considered and disposed of within a reasonable time.

3. Heard the learned Government Pleader as well.

4. In view of the limited extend of relief sought for, this Court does not find it necessary to deal with the merits of the case. The Writ Petition is disposed of directing the 2nd respondent to consider and pass appropriate orders on Ext.P4 in accordance with law, after affording an opportunity of hearing to the petitioner as well as the 3rd respondent and the other interested parties, if any, within six weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of accordingly. The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the concerned respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

jjj