

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 7758 of 2015 (T)

PETITIONER(S):

1. NATTAKOM RESIDENTS WELFARE ASSOCIATION,
REGD.NO. K-232/2009 NATTAKOM REPRESENTED BY ITS PRESIDENT,
SAJI NINAN,AGED 50 YEARS,
S/O.P.K.PHILIPOSE
RESIDING AT SHANTI BHAVAN,
PAKKIL P.O.
KOTTAYAM - 686 012.
2. BOBBY MANI,
THANNICKAL HOUSE,
PAKKIL P.O.,
KOTTAYAM - 12.
3. RAJAN ABRAHAM, AGED 68 YEARS
S/O.A.V.ABRAHAM,
VALIAVEETIL HOUSE,
XXXIV/191,
PAKKIL P.O.,
KOTTAYAM 12.
4. PARAMESWARAN, AGED 52 YEARS
S/O.K.R.MADHAVA WARRIER,
PARVARTHI MANDIRAM,
41/566,
PAKKIL P.O.,
KOTTAYAM - 686 012.
5. ABRAHAM MATHEW, AGED 62,
S/O.A.V.ABRAHAM,
BLUE BELLS VALIAVEETIL,
XXXV/573,
PALLOM P.O.,
KOTTAYAM - 07.

**BY ADVS.SRI.KARJET KODUVATH
SRI.S.NIDHEESH**

WP(C).No. 7758 of 2015 (T)

RESPONDENT(S)/RESPONDENTS:

1. KOTTAYAM MUNICIPALITY,
REPRESENTED BY THE SECRETARY,
THIRUNAKKARA,
KOTTAYAM - 686 001.
2. THE SECRETARY,
MUNICIPALITY OF KOTTAYAM,
THIRUNAKKARA,
KOTTAYAM - 686 001.

R1 & R2 BY SRI.PHILIP J.VETTICKATTU SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

vmr

WP(C).No. 7758 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE OBJECTION FILED BY THE PETITIONERS.
- EXT.P1(A): TRANSLATED COPY OF THE OBJECTION FILED BY THE PETITIONERS.
- EXT.P2: TRUE COPY OF THE REPORT IN MATHRUBHUMI DAILY.
- EXT.P2(A): TRANSLATED COPY OF THE REPORT IN MATHRUBHUMI DAILY.
- EXT.P3: TRUE COPY OF THE NOTIFICATION VIDE SRO 34/2011 DATED 14/01/2011.
- EXT.P3(A): TRANSLATED COPY OF THE NOTIFICATION VIDE SRO 34/2011 DATED 14/01/2011.
- EXT.P4: TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF NATTAKOM PANCHAYATH COMMITTEE DATED 19/04/2008.
- EXT.P4(A): TRANSLATED COPY OF THE RELEVANT PAGES OF THE MINUTES OF NATTAKOM PANCHAYATH COMMITTEE DATED 19/04/2008.
- EXT.P5: TRUE COPY OF THE FINAL NOTIFICATION DATED 04/01/2011.
- EXT.P5(A): TRANSLATED COPY OF THE FINAL NOTIFICATION DATED 04/01/2011.
- EXT.P6: TRUE COPY OF THE OBJECTION FILED BY THE 1ST PETITIONER DATED 02/04/2014.
- EXT.P6(A): TRUE COPY OF THE OBJECTION FILED BY THE 1ST PETITIONER DATED
- EXT.P7: TRUE COPY OF THE NOTICE DATED 19/05/2014.
- EXT.P7(A): TRANSLATED COPY OF THE NOTICE DATED 19/05/2014.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

vmr.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 7758 of 2015

Dated this the 11th day of March, 2015

JUDGMENT

Heard the learned counsel for the petitioners and the learned Standing Counsel 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. Briefly stated, the first petitioner, a Residents' Welfare Association, and petitioners 2 to 5, the property owners, are said to have submitted Exhibit P6 objections in response to Exhibit P5 notification issued by the respondent Municipality revising the property tax. Though Exhibit P7 notice was issued by the respondent Municipality in response to Exhibit P6 objections filed by the petitioners, no hearing seems to have taken place thereafter. Ventilating their grievance that no further steps have been taken pursuant to

Exhibit P7 notice by the respondent Municipality, the petitioners filed the present writ petition.

3. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioners and the learned Standing Counsel for the respondents, without expressing any opinion on the merits of the matter, this Court disposes of the present writ petition with a direction to the respondent Municipality to take consequential steps based on Exhibit P7 notice of hearing, and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

With the above observation, this writ petition is disposed of.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-