

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(C) .No. 8171 of 2015 (V)

PETITIONER(S) :

SETHUMADHAVAN,
AGED 58 YEARS, S/O.MAKKUNNI,
MARIAMMAN KOVIL STREET, VEEMAN NAGAR,
THATTANCHAVADY, PUDUCHERY, PIN: 605 009.

BY ADV. SRI.K.DILIP.

RESPONDENT(S) :

1. THE STATE OF KERALA,
REP. BY ITS SECRETARY TO THE GOVERNMENT,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.
2. THE VILLAGE OFFICER,
ANAKKARA GRAMA PANCHAYAT, PIN: 679 553.

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT. P1: A TRUE COPY OF THE SETTLEMENT DEED NO.1165/12 DATED
4/6/2012.

EXT. P2: A TRUE COPY OF G.O.NO.12/2014/ENVIRONMENT DATED
15/11/2014.

EXT. P3: A TRUE COPY OF THE APPLICATION SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT DATED 03/02/2015.

EXT. P4: A TRUE COPY OF THE DRAFT DATA BANK REGISTER ATTESTED BY
THE AGRICULTURAL OFFICER, ANAKKARA DATED 19/1/2015.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.8171 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i) Issue an appropriate writ of mandamus, or any other appropriate writ, order or direction commanding the respondent No.2 to receive Ext.P3 application preferred by the petitioner and to complete the proceedings as concerning Ext.P3 within such time as may be fixed by this Hon'ble Court, in the interest of justice.

AND

ii) To pass any such or further orders as the petitioner may seek and this Hon'ble Court deem fit to grant."

2. The learned counsel for the petitioner submits that, the grievance of the petitioner has already been projected by way of Ext.P3 application for removal of ordinary earth before the 2nd respondent and that the same is pending consideration. It is submitted that, the petitioner will be satisfied, if a direction is given to the 2nd respondent to consider and pass appropriate

orders on Ext.P3.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P3, after affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition before the 2nd respondent, for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE**

sp