

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

WP(C).No. 8521 of 2015 (M)

PETITIONER :

**K.C. SUNNY,
KIZHAKKEMATTAM HOUSE,
POOTHRIKKA P.O., PUTHENCRUZ
ERNAKULAM DISTRICT-682 308.**

BY ADV. SRI.SHEJI P. ABRAHAM

RESPONDENT(S) :

**1. DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM-682 030.**

**2. VILLAGE OFFICER,
AIKKARANADU SOUTH,
KOLENCHERRY P.O.,
ERNAKULAM-682 304.**

R1 & R2 BY GOVT. PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 8521 of 2015 (M)

APPENDIX

PETITIONERS' EXHIBITS :I

**EXT.P1: TRUE COPY OF THE APPLICATION DT. 14.5.14 SUBMITTED BY THE
 PETITIONER BEFORE THE 1ST RESPONDENT WITH RELEVANT
 DOCUMENTS.**

**EXT.P2: TRUE COPY OF THE REPORT OF THE 2ND RESPONDENT DT.17.6.14
 SUBMITTED BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.8521 of 2015

Dated this the 18th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i) Issue a writ of mandamus or such other appropriate writ, order or direction directing the 1st respondent to permit the petitioner in pursuance to Exhibit P2 report of the 2nd respondent to pull out red earth from the upper land in survey No.246/20 to the land in survey No.246/18 & 246/19 owned by the petitioner for make use of the property for agriculture.

ii) Issue writ of mandamus directing the 1st respondent to pass orders on Exhibit P1 application of the petitioner considering exhibit P2 report of the 2nd respondent.

iii) Grant such other relief as this Hon'ble Court may be deem fit and proper in the facts and circumstances of the case."

2. Grievance of the petitioner is with regard to the delay in considering Ext.P2 application filed by the petitioner before the 1st respondent.

3. Heard the learned Government Pleader appearing for the respondents as well.

4. After hearing both the sides, the writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P1 application in the light of Ext.P2 report and such other relevant materials, after affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'two months' 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 1st respondent, for further steps.

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

sp