

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(C).No. 9079 of 2015 (H)

PETITIONER:

**ANNIE BABU, 16/142,
NEHRU COLONY, KUNNATHURMED P.O,
PALAKKAD.**

**BY ADVS.SRI.D.KISHORE
SMT.MINI GOPINATH**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
PALAKKAD - 678 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,
PALAKKAD - 678 001.**
- 3. THE TAHSILDAR, ALATHUR TALUK,
PALAKKAD DISTRICT - 678 541.**
- 4. THE VILLAGE OFFICER, MATHUR II VILLAGE,
PALAKKAD DISTRICT- 678571.**
- 5. THE SUB INSPECTOR OF POLICE,
KUZHALMANNAM POLICE STATION,
PALAKKAD - 678 001**
- 6. SATHEESAN, NADAKKAVU HOUSE, CHIRAKKAL,
PALLENCHATHANNOOR P.O, PALAKKAD - 678 571**
- 7. KRISHNAN, S/O.KUNJAN, ANKIRANKAD HOUSE,
THACHANKADU P.O, PALAKKAD DISTRICT - 678 571.**
- 8. VASU, S/O.VELAYUDHAN, ANKIRANKAD HOUSE,
THACHANKADU P.O, PALAKKAD DISTRICT - 678 571.**

R1 TO R5 BY GOVT. PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 9079 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1 - TRUE COPY OF THE NO OBJECTION CERTIFICATE DATED 3-2-2105
 ALONG WITH THE APPROVED PLAN ISSUED BY THE SECRETARY,
 MATHUR GRAMA PANCHAYAT.**
- EXT.P2 - TRUE COPY OF THE POSSESSION CERTIFICATE DATED 21-10-2014.**
- EXT.P3 - TRUE COPY OF THE REPRESENTATION DATED 5-2-2015 SUBMITTED
 BY THE PETITIONER BEFORE THE 4TH RESPONDENT.**

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.9079 of 2015

Dated this the 23rd day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"a. issue a writ of mandamus or any other appropriate writ, direction or order directing the respondents 1 to 4 to consider and act on Exhibit P3 representation submitted by the petitioner as expeditiously as possible.

b. issue a writ of mandamus or any other appropriate writ, direction or order directing the respondents 1 to 4 to take urgent steps to evict the encroachers from 59 cents of Government land comprised in Resurvey 230/3 of Mathur-II Village and to restore the property to its original position, forthwith.

c. grant such other reliefs which this Honourable Court may deem fit and proper in the interest of justice."

2. Heard the learned Government Pleader as well.

3. During the course of hearing, the learned Government Pleader points out that the grievance projected by the petitioner in Ext.P3, which is preferred before the 4th respondent with copies to other respondents concerned, will be considered by the 2nd respondent and appropriate orders will be passed after affording an opportunity of hearing to the petitioner and also respondents

6 to 8.

4. Considering the limited extent of reliefs sought for, this Court does not find it necessary to issue notice to the respondents 6 to 8, more so since this Court does not intend to deal with the merits of the case.

5. In the said circumstances, the writ petition is disposed of, directing the 2nd respondent to consider Ext.P3 (copy of which has already marked to the said respondent as given in Ext.P3) and pass appropriate orders in accordance with law, after affording an opportunity of hearing to the petitioner, respondents 6 to 8 and other interested parties, if any. The proceedings as above shall be finalised 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 2nd respondent, for further steps.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

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