

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

WP(C).No. 10268 of 2015 (G)

PETITIONER(S):

**K. JANARDHANAN, S/O.APPUKKUTTY,
KOORKKAPPARAMBIL HOUSE,
ORALAKKOT PARAMBA, PERUMANNA,
PANTHEERANKAVU, KOZHIKODE.**

**BY ADVS.SRI.V.T.RAGHUNATH,
SMT.C.V.RAJALAKSHMI.**

RESPONDENT(S):

**CORPORATION OF KOZHIKODE,
REP. BY SECRETARY, CORPORATION OFFICE,
KOZHIKODE- 673 003.**

**BY ADVS. SRI.P.V.SURENDRANATH, SC,
SRI.K.D.BABU,SC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1- COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE VILLAGE OFFICER, PANNIYANKARA DATED 14.09.2009 WITH ENGLISH TRANSLATION.
- P2- COPY OF THE REPRESENTATION BY THE PETITIONER TO THE RESPONDENT DATED 05.03.2014 WITH ENGLISH TRANSLATION.
- P3- COPY OF THE REPRESENTATION BY THE PETITIONER TO THE RESPONDENT DATED 05.03.2014 WITH ENGLISH TRANSLATION.
- P4- COPY OF RECEIPT ISSUED BY THE RESPONDENT FOR RECEIPT OF EXT. P1 DATED 05.03.2014 WITH ENGLISH TRANSLATION.
- P5- COY OF RECEIPT ISSUED BY THE RESPONDENT FOR RECEIPT OF EXT. P2 DATED 05.03.2014 WITH ENGLISH TRANSLATION.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 10268 of 2015

Dated this the 21st day of May, 2015.

JUDGMENT

The petitioner has approached this Court alleging that the respondent Corporation has not considered Exts.P2 and P3 representations submitted by him before the Corporation about one year back.

2. The petitioner is the co-owner of the property having an extent of 3.82 cents of property within the local limits of respondent Corporation. The petitioner's grievance is that the occupants of the adjacent land obtained a plan and permit from the respondent for construction of a house showing a way through the property of the petitioner shifting the actual a way provided under a partition deed, which passes along the northern side of the properties. The petitioner alleges that knowing about the aforesaid fraudulent description of the way in the plan, he submitted Exts.P2 and P3 representations for necessary action and it could not evoke

any positive response and the same is still pending.

3. I have heard Sri. V.T. Raghunath, the learned counsel for the petitioner and the learned Standing Counsel for the respondent Corporation.

4. As Mr. V.T.Raghunath has confined his argument to the limited prayer for a direction to the respondent Corporation to consider Exts.P2 & P3 representations within a time frame, this writ petition disposed of directing the respondent Corporation to consider and pass appropriate orders on Exts.P2 and P3 representations within a period of one month from the date of receipt of a copy of this judgment, after affording the petitioner and affected parties, an opportunity of being heard. It is open to the petitioner to produce a copy of the judgment and a copy of this writ petition to respondents 2 and 3 to facilitate an early action.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.