

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 10582 of 2015 (W)

PETITIONER:

**K.S.MURALEEDHARAN,
LAKSHMI BHAVANAM, AYIMALI WEST MURI,
OMALLOOR VILLAGE, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.C.B.SREEKUMAR

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
PATHANAMTHITTA DISTRICT - 689 645.**
- 2. THE REVENUE DIVISIONAL OFFICER,
ADOOR - 689 106.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 10582 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1- TRUE COPY OF THE LOCATION SKETCH.

**P2- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO
THE 1ST RESPONDENT DATED 26.2.2015.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.10582 of 2015

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Dated this the 31st day of March, 2015

JUDGMENT

The grievance of the petitioner is mainly with regard to the steps being pursued by the 1st respondent to grant sanction to install a 'Cross' (Kurisumthotti) by the concerned Church, in the property concerned, which is almost opposite to the property belonging to the petitioner and near other residents of the locality. The installation of the said Cross in the property will ruin the healthy and cordial relationship among the neighbours because of various adverse circumstances to be resulted and in the said circumstance, when the concerned Church approached the 1st respondent seeking for permission to install the same, the petitioner and others preferred detailed statement of objection. A copy of the statement/objection preferred by the petitioner in this regard before the 1st respondent is produced and marked as Ext.P2. Prayer is to cause the same to be considered, before any sanction is given.

2. Heard the learned Government Pleader as well.

3. It is seen that the concerned Church is not impleaded in the party array and as such, it is not proper for this Court to deal with the merits of the case. The writ petition is disposed of, directing the first respondent to consider Ext.P2 objection preferred by the petitioner as well and pass appropriate orders in the application stated as preferred by the concerned Church for permission to install the Cross (Kurisumthotti), after giving an opportunity of hearing to all the concerned/interested parties.

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

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

sj