

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 11165 of 2015 (U)

PETITIONER(S) :

- 1. K.S.AJITHKUMAR
AJEESH HOUSE, FACT NAGAR,
TRIPUNITHURA.**
- 2. STEE MARTIN,
AZHIKKAKATH WHITE HOUSE,
MATTOOR JUNCTION, EROOR P.O.
TRIPUNITHURA - 682 306.**

**BY ADVS.SMT.K.P.SANTHI
SRI.R.JAYAKRISHNAN
SRI.RILGIN V.GEORGE
SMT.E.U.DHANYA**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI - 682 001.**
- 3. THE SECRETARY
TRIPUNITHURA MUNICIPALITY,
TRIPUNITHURA - 682 306.**

**R1 & R2 BY SR. GOVT. PLEADER SRI. K.C. VINCENT
R3 BY ADV. SRI.V.M.KURIAN, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 11165 of 2015 (U)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT-P1- TRUE COPY OF THE APPLICATION DATED 01/02/2015 SUBMITTED TO
RESPONDENTS 2 AND 3.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No. 11165 OF 2015
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Dated this the 7th April, 2015

J U D G M E N T

The petitioners have approached this Court with the following prayers:

"i) issue a writ of mandamus or such other writ, direction or order compelling the respondents 2 and 3 to consider Exhibit P1 affording an opportunity of hearing to the petitioners within a time frame to be fixed by this Honourable Court;

ii) issue such other writ, direction or order as is deemed just and necessary in the facts, features and circumstances of the case."

2. The petitioners are aggrieved of the illegal construction stated as effected on the road, which is being used by the petitioners and several others to reach their properties situated nearby. The petitioners have projected their grievance by way of Ext.P1 before the second respondent/RDO. The only relief pressed before this Court is for issuance of a direction to the second respondent to consider and dispose of the same at the earliest.

3. Heard the learned Government Pleader for the second

respondent and the learned Standing Counsel for the third respondent /Tripunithura Municipality.

4. Considering the limited nature of relief sought for, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of directing the second respondent/RDO to consider and dispose of Ext.P1 at the earliest, at any rate , within two months from the date of receipt of a copy of the judgment, after affording an opportunity of hearing to the petitioners and other interested parties, if any. The petitioners shall produce a copy of this judgment along with a copy of the writ petition before the second respondent/RDO for further steps.

P.R.RAMACHANDRA MENON
JUDGE

/k