

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

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

WP(C).No. 11277 of 2015 (H)

PETITIONER:

SHAHABUDEEN A., CHARUVILA HOUSE,
KUDAVUR P.O., THIRUVANANTHAPURAM - 695 313.

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENTS:

1. STATE OF KERALA
REP. BY THE SECRETARY TO GOVT.,
DEPARTMENT OF LOCAL SELF
GOVERNMENT INSTITUTIONS,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. THE DIRECTOR OF PANCHAYATHS,
THIRUVANANTHAPURAM -695 001.

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

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

APPENDIX IN WP(C).No. 11277 of 2015 (H)

PETITIONER'S EXHIBITS:

EXHIBIT-P1-TRUE COPY OF THE REPRESENTATION DATED 18/10/2012 GIVEN TO THE MINISTER

EXHIBIT-P1(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P1

EXHIBIT-P2-TRUE COPY OF THE COMMUNICATION NO. C2-564/2013 DATED 02/05/2013.

EXHIBIT-P2(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P2

EXHIBIT-P3-TRUE COPY OF THE G.O(R) 3113/2014/LSGD DATED 27/11/2014.

EXHIBIT-P3(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P3.

EXHIBIT-P4-TRUE COPY OF THE RELEVANT PAGES OF THE COMMUNICATION DATED 09/02/2015.

EXHIBIT-P4(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P4

EXHIBIT-P5-TRUE COPY OF THE NOTICE NO.C2-16064/2014 DATED 26/02/2015.

EXHIBIT-P5(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P5

EXHIBIT-P6-TRUE COPY OF THE REPORT NO.PAU -1 A1/35/2015 DATED 28/02/2015.

EXHIBIT-P6(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P6

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.11277 of 2015 H

Dated this the 7th day of April, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The petitioner, an executive committee member of Thonnakkal Vikasana Samithi, has submitted Exhibit P1 representation for formation of a new Panchayat at Thonnakkal.

3. As can be seen from record, subsequently the Government issued Exhibit P3 and called for objections from the public at large.

4. The learned Government Pleader has submitted that the Principal Secretary, the Local Self Government (EM) Department, is the competent authority to consider Exhibit P1 representation. He has also further submitted that the said

authority is willing to consider the said representation in accordance with law.

5. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioners and the learned Government Pleader for the respondents, this Court, without expressing any opinion on the merits of the matter, directs the Principal Secretary, the Local Self Government (EM) Department, to dispose of petitioner's Exhibit P1 representation in accordance with law and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of three weeks from the date of receipt of a copy of this judgment, if the application is pending as on date.

With the above observation, this writ petition is disposed of.

Dama Seshadri Naidu, Judge

tkv