

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. 11280 of 2015 (H)

PETITIONER(S):

**FR. ANDREWS CHETHALAN,
VICAR, LITTLE FLOWER CHURCH, PARAKKADAVU,
KURUMASSERI P.O, ERNAKULAM DISTRICT- 683 579.**

BY ADV. SRI.GEORGE POONTHOTTAM.

RESPONDENT(S):

**1. THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI REVENUE DIVISION,
ERNAKULAM DISTRICT- 682 001.**

**2. THE DISTRICT COLLECTOR,
ERNAKULAM - 682 020.**

BY SR. GOVT. PLEADER SRI.K.C. VINCENT.

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

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 - TRUE COPY OF THE BUILDING PERMIT NO.424 A7 -1431/08 DATED 03.10.2008 ISSUED BY THE PARAKKADAVU GRAMA PANCHAYAT.
- EXT.P2 - TRUE COPY OF THE CONSENT LETTER ISSUED BY THE LEADERS OF VARIOUS RELIGIOUS ORGANISATIONS AND ITS LEADERS.
- EXT.P3 - TRUE COPY OF THE COMPLAINT PREFERRED BY SRI.V.N. SATHYAN DATED 13.01.2011.
- EXT.P4 - TRUE COPY OF THE COMMUNICATION NO.B3-300/2011 DATED 17-01-2011 ISSUED BY THE TAHSILDAR, ALUVA TO THE SECRETARY, PARAKKADAVU GRAMA PANCHAYAT.
- EXT.P5 - TRUE COPY OF THE REPORT OF THE SECRETARY, PARAKKADAVU GRAMA PANCHAYAT DATED 12.02.2011.
- EXT.P6 - TRUE COPY OF THE COMMUNICATION NO.B3-300/2011 DATED 08-02-2011 BY THE TAHSILDAR, ALUVA.
- EXT.P7 - TRUE COPY OF THE ORDER NO. C/1350/11 ISSUED BY THE 1ST RESPONDENT DATED 05.03.2011.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 11280 of 2015

Dated this the 7th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of mandamus directing the respondents to finalise Ext.P3 complaint and subsequent proceedings taken and pass orders on the same within such time as fixed by this Hon'ble Court, after affording an opportunity of hearing to the petitioner.

ii. Declare that the petitioner is entitled to complete the construction of the chapel in accordance with the building permit granted by the Panchayat, without any unlawful obstruction from any corner.

iii. Grant such other relief, which this Court deems fit in the facts and circumstances of the case."

The learned counsel for the petitioner submits that the grievance of the petitioner has also been highlighted by way of Ext.P3 complaint which is pending consideration before the 2nd respondent and the prayer is only to cause the same to be considered and disposed of within a reasonable time.

2. Heard the learned Government Pleader as well.

3. In view of the limited 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 2nd respondent to consider and pass appropriate orders on Ext.P3 in accordance with law after giving an opportunity of hearing to the petitioner at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent for further steps.

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

kp/-