

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 14362 of 2015 (U)

PETITIONER(S):

**MR.FRANCIS CLEETUS, S/O.FRANCIS,
RESIDING AT CLIFFI HOUSE, TC.13/287,
VANCHIYOOR P.O., THIRUVANANTHAPURAM,
REPRESENTED BY HIS POWER OF ATTORNEY
HOLDER SIBI VARGHESE, S/O.M.D. VARGHESE,
RESIDING AT MANJALIL HOUSE,
THOKKUPARA P.O., IDUKKI.**

**BY ADVS.SRI.M.SREEKUMAR,
SRI.A.ABDUL KHARIM.**

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
CIVIL STATION, KUDAPPANAKUNNU,
THIRUVANANTHAPURAM-695 043.**
- 2. VILLAGE OFFICER,
KADINAMKULAM VILLAGE,
KADINAMKULAM P.O., PIN-695 303.**

BY SR. GOVT.PLEADER SRI.MOHAMMED SAVAD.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 : TRUE COPY OF POWER OF ATTORNEY DATED 23-11-2013.
- P2 : TRUE COPY OF STOP MEMO NO.400/14 DATED 04-09-2014 ISSUED BY THE
2ND RESPONDENT TO THE PETITIONER.
- P3 : TRUE COPY OF THE NOTICE NO.400/14 DATED 19-08-2014 ISSUED BY
THE 2ND RESPONDENT TO THE PETITIONER.
- P4 : TRUE COPY OF REPRESENTATION FILED BY THE PETITIONER BEFORE
THE 1ST RESPONDENT DATED 09-03-2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.14362 of 2015
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Dated this the 12th day of May, 2015

JUDGMENT

Petitioner approached this Court aggrieved by non vacation of stop memo issued by the 2nd respondent on orders of the 1st respondent even after completion of survey of the entire property. Petitioner filed Ext.P4 representation dated 09.03.2015 before the District Collector to lift Ext.P2 stop memo.

2. In view of the matter, petitioner can undertake construction based on the consideration of Ext.P4 by the District Collector. If demarcation and identification of the property by the survey department is completed, based on Ext.P4, necessary orders shall be passed by the District Collector. Petitioner shall undertake construction only in accordance with the permission granted by the District Collector. Needful shall be done within a period of three weeks from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/13/05/15