

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYASHTA, 1937

WP(C).No.16670 of 2015 (G)

PETITIONER:

**KERALA NADUVATHUL MUJAHIDEEN,
KARUNAGAPPALLY UNIT,KOLLAM-690 573,
REPRESENTED BY ITS UNIT SECRETARY.**

BY ADV.SRI.M.KRISHNAKUMAR

RESPONDENT'S:

- 1. KARUNAGAPPALLY MUNICIPALITY,
KARUNAGAPPALLY-690 518,REP. BY ITS SECRETARY,
A.IBRAHIMKUTTY.**
- 2. THE SECRETARY,KARUNAGAPPALLY MUNICIPALITY,
KARUNAGAPPALLY-690 518.**
- 3. DISTRICT COLLECTOR,KOLLAM-691 001.**
- 4. H.SALEEM,MUNICIPAL CHAIRMAN,
KARUNAGAPPALLY MUNICIPALITY,
KARUNAGAPPALLY-690 518.**

**R1,R2&R4 BY ADV.SRI.M.R.SASITH
R3 BY GOVT. PLEADER SRI.G.GOPAKUMAR.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

- P1- TRUE COPY OF THE BUILDING PERMIT ISSUED BY KARUNAGAPPALLY GRAMA PANCHAYATH.
- P2- TRUE COPY OF THE PROCEEDINGS OF THE SECRETARY, KARUNAGAPPALY GRAMA PANCHAYATH.
- P3- TRUE COPY OF THE JUDGMENT IN WPC NOS.30282/2011 AND 24006/2009.
- P4- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- P5- TRUE COPY OF THE COMMUNICATION OF THE 3RD RESPONDENT TO THE PETITIONER.
- P6- TRUE COPY OF THE ONVERING LETTER OF THE PETITIONER SUBMITTED BEFORE THE 2ND RESPONDENT.
- P7- TRUE COPY OF THE COMMUNICATION OF THE 2ND RESPONDENT TO THE PETITONER.
- P8- TRUE COPY OF THE DRAWING SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.16670 of 2015

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Dated this the 17th day of June, 2015

JUDGMENT

Aggrieved by the lethargy on the part of the 2nd respondent in forwarding the request made by the petitioner for change of occupancy to the District Collector, the petitioner has come up before this Court.

2. Today when the matter came up for hearing, the learned standing counsel for respondent municipality on instructions submitted that the request was not forwarded to the District Collector on account of certain defects which are to be cured by the petitioner. In reply to the said submission, the learned counsel for the petitioner submitted that all the defects have been cured on 15.6.2015 and, therefore, now the application is probably in order.

Recording the said submission, the writ petition is disposed of directing the 2nd respondent to forward the request submitted by the petitioner for change of occupancy to the District Collector without further delay.

In the event of forwarding the request, the same shall be considered by the 3rd respondent after affording the petitioner an opportunity of being heard within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

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