

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

W.P(C)No. 21611 of 2009(V)

PETITIONER:

DR.USHARANI, AGED 43 YEARS,
D/O.BHAGIRATHI, SIVAMANGALATHU VEEDU,
KESAVADASAPURAM, VAYALARIKATHUMURI,
ULLOOR VILLAGE, THIRUVANANTHAPURAM.

BY ADV. SRI.THIRUMALA P.K.MANI

RESPONDENTS:

1. DISTRICT COLLECTOR, THIRUVANANTHAPURAM.
2. SUB COLLECTOR, THIRUVANANTHAPURAM.
3. VILLAGE OFFICER,ULLOOR,
THIRUVANANTHAPURAM.
4. THANKARAJ,S/O.THANPPANACHARY,
SIVAMANGALATHU VEEDU, VAYALARIKATHUMURI,
ULLOOR VILLAGE, THIRUVANANTHAPURAM.
5. SMT.G.S.MITHRA,W/O.THANKARAJ,
T.C.2/567/(1), SIVASAKTHI, MEVARTHALAKKONAM LANE
KALLAMPALLY, THIRUVANANTHAPURAM.
6. OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD,
SREEKARYAM, THIRUVANANTHAPURAM.

BY GOVT. PLEADER, SRI. MANOJ P. KUNJACHAN FOR R1 TO R3
ADV. SRI.G.SUDHEER, FOR R4 & R5
ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B, FOR R6

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
21.07.2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

[P.T.O]

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE PARTITION DEED NO.3535/02 REGISTERED
IN THE OFFICE OF THE SUB REGISTRAR, PATTO.

EXT.P2: TRUE COPY OF THE PLAINT IN O.S.NO.308 OF 2007

EXT.P3: TRUE COPY OF THE F.I.R.NO.402/2008

EXT.P4: TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT

EXT.P5: TRUE COPY OF THE STOP MEMO DATED 10.07.2009

RESPONDENTS' EXHIBITS: Nil

//TRUE COPY//

PA TO JUDGE

PtK/

K. VINOD CHANDRAN, J

W.P(C) No. 21611 of 2009

Dated this the 21st day of July, 2015

J U D G M E N T

The petitioner was aggrieved with Ext.P4 which enabled the 5th respondent to construct a wall in her property. Admittedly there was a suit pending between the petitioner and the 5th respondent with respect to a pathway. Ext.P4 order also is subject to the civil court proceedings. In such circumstance, nothing survives in the writ petition. The petitioner and the party respondents would be reserved the liberty to raise all contentions in the civil court.

Writ petition is dismissed.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge