

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

WP(C).No. 17474 of 2015 (H)

PETITIONER :

**K.RAMACHANDRAN, AGED 64 YEARS,
S/O.GOPALAN NAIR, NADUVATHERI KOODATHIL VEEDU,
CHAZHOOR, THRISSUR TALUK & DISTRICT.**

**BY ADVS.SRI.T.H.ABDUL AZEEZ
SRI.K.V.VASAVAN**

RESPONDENT :

**CHAZHOOR GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
P.O.CHAZHOOR,THRISSUR DISTRICT- 680 564**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No. 17474 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE RELEVANT EXTRACT THE SAID
 REPRESENTATION SUBMITTED BY THE PETITIONER AND 56 PERSONS
 IN THE LOCALITY.

EXT.P2 TRUE COPY OF THE ORDER DATED 23/7/2013 OF THE OMBUDSMAN

EXT.P3 TRUE COPY OF THE RESOLUTION DATED 15/5/2012 PASSED BY THE
 RESPONDENT

EXT.P4 TRUE COPY OF THE REPRESENTATION TO THE RESPONDENT

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.17474 of 2015

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Dated this the 11th day of June, 2015

JUDGMENT

Aggrieved by the inaction on the part of the respondent panchayat in considering Ext.P4 representation for implementing Ext.P2 order of the learned Ombudsman for Local Self Government Institutions, the petitioner has come up before this Court.

2. The petitioner being aggrieved by the stagnation water in his property and neighbouring properties situated at Parakulangara - Kovilakam road and Thriveni road, filed Ext.P1 representation before the respondent. As there was no response, he approached the learned Ombudsman and obtained Ext.P2 order. Though the respondent panchayat passed Ext.P3 resolution as early as in 2012, nothing has been done by the respondent.

3. The petitioner again made Ext.P4 representation seeking implementation of Ext.P2 order of the learned Ombudsman. However, the respondent is causing inordinate delay in implmenting Ext.P2 order and thereby failed to bail out stagnation of water during the rainy reason. Hence, this writ petition.

4. When the matter came up for hearing, the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent to consider and pass orders on Ext.P4 to implement Ext.P2 order. Considering the nature of submission, this Court is of the view that the writ petition can be disposed of even without issuing notice to the respondent.

Therefore, the writ petition is disposed of directing the respondent to consider Ext.P4 in the light of Ext.P2 within a period of two weeks from the date of receipt of a copy of this judgment. To facilitate early action it shall be open to the petitioner to produce a copy of this judgment as well as copy of the writ petition before the respondent at the earliest.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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