

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 17673 of 2015 (H)

PETITIONER :

**SAJI VARGHESE, AGED 52 YEARS,
VAZHANGOLI, M.A. COLLEGE P.O., KOTHAMANGALAM.**

BY ADV. SRI.JACOB P.ALEX

RESPONDENTS :

- 1. KOTHAMANGALAM MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
P.B.NO. 15, KOTHAMANGALAM - 686 691.**
- 2. THE SECRETARY,
KOTHAMANGALAM MUNICIPALITY, P.N.NO. 15
KOTHAMANGALAM -686 691.**
- 3. MAR ATHANASIOUS COLLEGE ASSOCIATION,
REPRESENTED BY ITS SECRETARY, M.A COLLEGE P.O.
PIN - 686 666.**

BY SRI.V.M.KURIAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 17673 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: TRUE COPY OF THE REPRESENTATION DATED 16/05/2015 SUBMITTED
BEFORE THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17673 of 2015

Dated this the 12th day of June, 2015

J U D G M E N T

Seeking a direction to the respondent municipality to take action on Ext.P1, the petitioner has come up before this Court.

2. The petitioner is a resident of Ward No.19 of the respondent municipality. He alleges that the 3rd respondent constructed a new play/parking ground illegally levelling a large area on the side of New MA College Road and illegally filled up the drainage, which, existed on the road side. According to the petitioner, on account of the said construction, drainage of the road was completely filled up and water started flowing to the nearby houses through the road. The petitioner points out that this problem created by the 3rd respondent would aggravate during rainy season and would be a threat to the life and property of the public and that of the nearby

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residents. Several complaints were filed before different authorities, which are pending consideration; it is alleged. Hence, this writ petition.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent municipality.

4. Considering the nature of the relief sought for, this Court is of the view that the writ petition can be disposed of even without issuing notice the 3rd respondent.

Therefore, the writ petition is disposed of directing the 2nd respondent to consider and pass appropriate orders on Ext.P1 application within a period of one month from the date of receipt of a copy of this judgment.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment as well as a copy of this writ petition before the 2nd respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-