

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 JYAISHTA, 1937

WP(C).No. 17835 of 2015 (D)

PETITIONER :

**LILLY PATHROSE, AGED 48 YEARS
W/O.PATHROSE, ARACKAL HOUSE, MAMBRA P.O
WEST KORATTY, THRISSUR DISTRICT.**

**BY ADVS.SRI.K.T.POULOSE (KORATTY)
SRI.E.HARIDAS**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT
SECRETARIAT, THRIUVANANTHAPURAM, PIN- 695 001.**
- 2. ANNAMANADA GRAMA PANCHAYATH
ANNAMANADA, REPRESENTED BY THE SECRETARY
PIN – 683 543.**
- 3. MRS. SARAMMA ELIAS
W/O.ELIAS, KOORAN HOUSE, MAMBRA P.O.,
WEST KORATTY, THRISSUR DISTRICT, PIN – 683 541.**
- 4. MR. LIJO ELIAS
S/O.MR. ELIAS, KOORAN HOUSE, MAMBRA P.O.
WEST KORATTY, THRISSUR DISTRICT, PIN – 683 541.**

R1 BY GOVT. PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 17835 of 2015 (D)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1. COPY OF SALE DEED NO.1292/1/2000.

EXHIBIT P2. PHOTOGRAPH OF THE PRESENT SITUATION OF THE PETITIONER'S HOUSE.

EXHIBIT P3. COPY OF THE PETITION DATED 10.3.15.

EXHIBIT P4. COPY OF THE RECEIPT DATED 10.3.15 WHICH IS GIVEN BY THE OFFICE OF THE ANNAMANADA GRAMA PANCHAYATH.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17835 of 2015

Dated this the 17th day of June, 2015

J U D G M E N T

Aggrieved by the inaction on the part of the respondent panchayath in considering Ext.P3 petition submitted by the petitioner, the petitioner has come up before this Court.

2. The petitioner, who is a house wife residing with her husband and children, alleges that the trees planted by respondents 3 and 4, who are the immediate neighbours of the petitioner, are causing endanger to the life and property of the petitioner. Her grievance is that though she filed Ext.P3 petition before the 2nd respondent, it did not evoke any positive response. Hence, this writ petition.

3. Considering the nature of the relief prayed for, this Court is of the view that the writ petition can be disposed of even without issuing notice to respondents 2 to 4.

..2..

Therefore, the writ petition is disposed of directing the 2nd respondent to consider and pass appropriate orders on Ext.P3, after affording the petitioner an opportunity of being heard, within a period of two weeks 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 respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-