

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

WP(C).No. 18261 of 2015 (G)

PETITIONER :

**THOMAS K.J., AGED 54 YEARS, S/O JOSEPH,
KALLAMPLACKAL HOUSE, IDUKKI COLONY P.O.,
PAREMAVU, IDUKKI DISTRICT.**

BY ADV. SRI.S.DILEEP (KALLAR)

RESPONDENT(S):

- 1. DISTRICT PANCHAYAT IDUKKI,
OFFICE OF DISTRICT PANCHAYAT, IDUKKI, KUILIMALA,
REPRESENTED THROUGH ITS SECRETARY -685 601**
- 2. THE SECRETARY, IDUKKI DISTRICT PANCHAYAT,
OFFICE OF DISTRICT PANCHAYAT, IDUKKI,
KUILIMALA-685 601**
- 3. THE REVENUE DIVISIONAL OFFICER,
KUILIMALA, IDUKKI-685 601**
- 4. CHIEF MEDICAL OFFICER,
DISTRICT AYURVEDA HOSPITAL, (ANNEX PAREMAVU,
IDUKKI DISTRICT, PIN-685 602**
- 5. VAZHATHOPPU GRAMA PANCHAYAT,
THADIYAMPADU P.O, IDUKKI DISTRICT, PIN-685 602
REPRESENTED THROUGH ITS SECRETARY.**

R1 TO R4 BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF DECLARATION ISSUED BY THE 5TH RESPONDENT
DATED 8/6/1999
- EXT.P2: TRUE COPY OF THE CERETIFICATE ISSUED BY THE VILLAGE
OFFICER DATED 26/4/2001
- EXT.P3: TRUE COPY OF THE RATION CARD NO. 66530 DATED 22/9/2003 ISSUED
BY THE TALUK SUPPLY OFFICER THODUPUZZHA
- EXT.P4: TRUE COPY OF THE ELECTION IDENTITY CARD BEARING NO. KHC
2233252 DATED 4/1/2003
- EXT.P5: TRUE COPY OF THE NOTICE ISSUED BY THE KERALA STATE
ELECTRICITY BOARD DATED 27/1/2015
- EXT.P6: TRUE COPY OF RECEIPT ISSUED BY THE WATER AUTHORITY DATED
26/10/2014 IN FAVOUR OF THE PETITIONER
- EXT.P7: TRUE COPY OF THE ADHAR CARD ISSUED BY THE GOVERNMENT OF
INDIA TO THE PETITIONER
- EXT.P8: TRUE COPY OF THE LETTER NO T382/97/IDA DATED 18/8/2014
- EXT.P9: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT DATED 22/8/2014
- EXT.P10: TRUE COPY OF THE LETTER DATED 12/2/2015 ISSUED BY THE 4TH
RESPONDENT TO THE PETITIONER

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.V.RAMAKRISHNA PILLAI, J

WPC No.18261 of 2015

Dated this the 18th day of June, 2015

JUDGMENT

The petitioner has come up before this Court for a direction to the respondents 1 and 2 to consider and pass orders on Ext.P9 application.

2. The petitioner is the owner of 14 cents of property comprised in Sy.No.161/1 of Idukki Village. He alleges that for the last so many years, he is in possession of the said property. The petitioner constructed a small house in the property and the 5th respondent issued number to the said house. However, as per Ext.P8 notice, the first respondent directed the petitioner to demolish the construction. Immediately thereafter, the petitioner submitted Ext.P9 representation before the first and second respondents. The petitioner alleges that the first and second respondents have decided to give 3 cents of property to the similarly situated persons without considering or disposing of Ext.P9 representation submitted by the petitioner. Now, the first and second

respondents are continuing with the eviction proceedings. It is with this background the petitioner has come up before this Court.

As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondents to consider and pass orders on Ext.P9, this Court is of the view that this writ petition can be disposed of even without issuing notice to the respondents.

In the result, this writ petition is disposed of directing the first and second respondents to consider and pass orders on Ext.P9 application within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, it shall be open to the petitioner to produce a copy of the writ petition, a copy of this judgment and a copy of Ext.P9 before the first and second respondents at the earliest.

sd/- A.V.RAMAKRISHNA PILLAI
JUDGE

css/

true copy

P.S.TO JUDGE