

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

WP(C).No. 18264 of 2015 (G)

PETITIONER:

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AJITHA AGED 42 YEARS,  
W/O.ANILAN, MATTATHIPARAMBIL HOUSE, KUNNAPPILLY P.O  
MELOOR VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. THE STATE OF KERALA,  
REP BY THE SECRETARY TO THE GOVERNMENT  
LOCAL SELF GOVERNMENT DEPARTMENT  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001
  2. THE MELOOR GRAMA PANCHAYATH,  
REPRESENTED BY ITS SECRETARY, MELOOR P.O  
THRISSUR 680 311
  3. THE ASSISTANT ENGINEER,  
L S G D , MELOOR GRAMA PANCHAYAT  
THRISSUR DISTRICT 680 311
  4. THE DISTRICT SURVEY SUPERINTENDENT,  
COLLECTORATE, AYYANTHOLE, THRISSUR-3

R2 BY ADV. SRI.P.V.PAULSON  
R2 BY ADV. SRI.SABU PULLAN  
BY GOVERNMENT PLEADER:SMT.ANITHA RAVINDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
03-09-2015 ALONG WITH WP(C) NO.742/2015, THE COURT ON THE SAME  
DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS

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EXT.P1 A TRUE COPY OF THE SKETCH OF THE PROERTY OF THE PETITIONER  
DATED 15-11-06

EXT.P2 A TRUE COPY OF THE NOTICE WITH TRANSLATION SERVED ON THE  
PETITIONER DATED 11-12-2014

EXT.P3 A TRUE COPY OF THE OBJECTION OF THE PETITIONER WITH THE  
TRANSLATION SUBMITTED DATED 12-12-2014

EXT.P4 A TRUE COPY OF THE PURCHASE CERTIFICATE ISSUED TO THE  
PETITIONER DATED 6-11-2010 OF THE LAND TRIBUNAL, THRISSUR

EXT.P5 A TRUE COPY OF THE UNDATED NOTICE ISSUED BY THE FOURTH  
RESPONDENT

EXT.P6 A TRUE COPY OF THE RECEIPT ISSUED BY THE FOURTH RESPONDENT  
DATED 10-06-2015

EXT.P7 A TRUE COPY OF THE NOTICE ISSUED TO THE PETITIONERE DATED  
12-06-2015 BY THE FOURTH RESPONDENT

RESPONDENT'S EXHIBITS:

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EXT.R2-a: TRUE COPY OF THE ENCROACHMENT SKETCH PREPARED BY THE  
4TH RESPONDENT SHOWING THE ENCROACHMENT INTO THE RIVER  
PURAMBOKE MADE BY THE PETITIONER.

EXT.R2-b: TRUE COPY OF THE APPLICATION DATED 04.08.2015 FILED BY  
THIS RESPONDENT BEFORE THE 4TH RESPONDENT.

EXT.R2-c: TRUE COPY OF THE REPLY DATED 06.08.2015 ISSUED BY THE  
4TH RESPONDENT TO THIS RESPONDENT.

EXT.R2-d: TRUE COPY OF THE SKETCH OF SY.NO.60 OF MELOOR VILLAGE  
ISSUED BY THE 4TH RESPONDENT, SHOWING THE THODU  
PURAMBOKE LAND.

//TRUE COPY//

PA TO JUDGE

rsr

**V.CHITAMBARESH,J**

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**W.P.(C). Nos.742 and 18264 of 2015**  
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**Dated this the 3<sup>rd</sup> day of September, 2015**

**JUDGMENT**

The short question is as to whether the petitioner has constructed an embankment wall encroaching into the river porambokku. The matter is engaging the attention of the District Survey Superintendent as evident by the inspection notices issued by him. The District Survey Superintendent, Thrissur is directed to take the proceedings to a logical end within a period of one month. Further measurement if any shall be taken after a local inspection with due notice to the parties.

2. The Meloor Grama Panchayth has already issued a provisional order in terms of Sec.235(1) of the Kerala Panchayat Raj Act. The petitioner is free to file a detailed objection to the provisional order in the light of the inspection report of the District Survey Superintendent. The Panchayat shall pass final orders after hearing the petitioner in the light of the report of the District Survey

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superintendent. The needful shall be done within a period of three months from today.

3. The parties shall maintain status quo in the meanwhile

This writ petition is disposed of.

Sd/-  
**V.CHITAMBARESH**  
**JUDGE**

rsr

//True Copy//

PA to Judge