

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. 18362 of 2015 (U)

PETITIONER :

**JOSHY JACOB,"KITCHEN NET",
X/129 K8 & J7, THODUPUZHA,
RESIDING AT RATHAPPILLIL HOUSE,
KALLOORKAD P.O., ERNAKULAM.**

BY ADV. DR.K.P.PRADEEP

RESPONDENT(S):

- 1. THE THODUPUZHA MUNICIPALITY,
THODUPUZHA P.O, IDUKKI DISTRICT,
REPRESENTED BY ITS SECRETARY - 685 584.**
- 2. THE SECRETARY,
THODUPUZHA MUNICIPALITY, THODUPUZHA P.O,
IDUKKI DISTRICT - 685 584.**
- 3. THE DEPUTY SUPERINTENDENT OF POLICE,
DYSO OFFICE, THODUPUZHA, THODUPUZHA P.O.,
IDUKKI DISTRICT - 685 584.**

BY SRI.P.K.SOYUZ,THODUPUZHA MUNICIPALITY

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

sts

WP(C).No. 18362 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE LICENSE NO. H-547-X/2014-15 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.**
- P2 - TRUE COPY OF THE LEASE DEED DATED 16.7.2014 ISSUED IN FAVOUR OF THE PETITIONER**
- P2(A) - TRUE COPY OF THE LEASE DEED DATED 16.7.2014 ISSUED IN FAVOUR OF THE PETITIONER.**
- P3 - TRUE COPY OF THE COMPLAINT DATED 9.1.2015 FILED BY THE PETITIONER TO THE 1ST RESPONDENT.**
- P4 - TRUE COPY OF THE ACKNOWLEDGEMENT NO.1213 DATED 9.1.2015 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.**
- P5 - TRUE COPY OF THE COMPLAINT DATED 9.1.2015 SUBMITTED TO THE 3RD RESPONDENT BY THE PETITIONER.**
- P6 - TRUE COPY OF THE ACKNOWLEDGEMENT NO.18/15-TS DATED 9.1.2015 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.**

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.18362 of 2015

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Dated this the 18th day of June, 2015

JUDGMENT

The petitioner is seeking a direction to the respondent municipality to consider Ext.P3 representation submitted by him in a time bound manner.

2. The petitioner is running a trading shop of animal feeding on the basis of Ext.P1 licence issued by the first respondent. The petitioner alleges that in front of his shop, the local residents and shop owners dump waste and plastic materials causing pollution and nuisance to him. Therefore, he preferred Ext.P3 complaint before the first respondent. However, no action has been taken. Apart from Ext.P3, he filed Ext.P5 complaint before the police authorities to prevent nuisance in the locality. However, It could not evoke any positive response. It is with this background, the petitioner has approached this Court.

4. Arguments have been heard.

Considering the nature of the relief sought for and the nature of the submission made by the learned counsel for the petitioner, this writ petition is disposed of directing the first 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 early action, it shall be open to the petitioner to produce a copy of this judgment and the copy of the writ petition before the respondent concerned at the earliest.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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