

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No.18377 of 2015 (V)

PETITIONER:

**IRINJALAKUDA BLOCK PANCHAYAT,
REPRESENTED BY ITS SECRETARY
P.O.JOSEPH,S/O.OUSEPH,MAPRANAM,
MADAYIKONAM P.O.,IRINJALAKUDA,
THRISSUR DISTRICT.**

BY ADV.SRI.G.SUDHEER

RESPONDENT'S:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM.**
- 2. MURIYAD GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY,MURIYAD P.O.
KALLETUNGARA,IRINJALAKUDA,THRISSUR - 680 683.**
- 3. VIJAYAN P.,PEYI HOUSE,AMBALANADA,PULLURE P.O.
PIN- 680 663,IRINJALAKUDA,THRISSUR DISTRICT.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.18377 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT-P1-TRUE COPY OF THE AGREEMENT DATED 03/02/2010 EXECUTED BY
THE PETITIONER 3RD RESPONDENT.**

**EXHIBIT-P2-TRUE COPY OF THE NOTICE DATED 24/09/2014 SENT BY THE
PETITIONERS TO THE 3RD RESPONDENT.**

**EXHIBIT-P3-TRUE COPY OF THE APPEAL NO.1076/2014 FILED BY THE 3RD
RESPONDENT BEFORE THE TRIBUNAL FOR LOCAL SELF
GOVERNMENT INSTITUTIONS, THIRUVANANTHAPURAM.**

**EXHIBIT-P4-TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE
PETITIONER IN APPEAL NO.1076/2014 BEFORE THE TRIBUNAL FOR
LOCAL SELF GOVERNMENT INSTITUTIONS,
THIRUVANANTHAPURAM.**

**EXHIBIT-P5-TRUE COPY OF THE ORDER DATED 07/10/2014 IN I.A 2303/2014 IN
APPEAL NO.1076/2014 PASSED BY THE TRIBUNAL FOR LOCAL SELF
GOVERNMENT INSTITUTIONS, THIRUVANANTHAPURAM.**

**EXHIBIT-P6-TRUE COPY OF THE PROJECT TO START A TRAINING PROGRAMME
FOR THE NREGS LABOURERS AT THE PULLUR TRAINING CENTRE
UNDER THE 12TH FIVE YEAR PLAN.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18377 of 2015

Dated this the 19th day of June, 2015.

JUDGMENT

The limited prayer in this writ petition is for a direction to the Tribunal for Local Self Government Institutions to expedite consideration of Ext.P3 appeal.

2. The petitioner is a Block Panchayat who rented out a building to the third respondent. The building was constructed for starting a training centre. The petitioner further points out that since the building was lying vacant, it was rented out to the third respondent to start an industry. Now the petitioner wants to start a Training Centre in the said building. The period of lease is over. In the meantime, the second respondent panchayat issued Ext.P2 notice to the third respondent to stop the industry as he has been conducting the industry without proper licence from the said panchayat. The third respondent unnecessarily tagged up the petitioner also in the Ext.P3 appeal and obtained Ext.P3 stay order. As per the proviso to Rule 19 of the Rules, the Tribunal is bound to

dispose of Ext.P3 within 60 days. There is inordinate delay in disposing Ext.P3; it is alleged. It is with this background, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

4. As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent Tribunal to consider Ext.P3 appeal, this Court is of the view that the writ petition can be disposed of even without issuing notice to the respondents.

Therefore, the writ petition is disposed of directing the Tribunal for Local Self Government to consider and pass appropriate orders on Ext.P3 appeal, within a period of two months 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 as well as the copy of this judgment before the Tribunal at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.