

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 18561 of 2015 (U)

PETITIONER :

**ABDUL MUTHALIB, AGED 35 YEARS,
S/O. ABDULLA K.P, KUNNATHUPEEDIKAYIL HOUSE,
KOTTATHARA P.O., KALPETTA, WAYANAD DISTRICT 673 122**

BY ADV. SMT.SANJANA R.NAIR

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 691 002**
- 2. THE TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS,
THIRUVANANTHAPURAM 691 001**
- 3. MUTTIL GRAMA PANCHAYAT,
MUTTIL P.O, WAYANAD DISTRICT PIN 673 122
REPRESENTED BY ITS SECRETARY**
- 4. THE SECRETARY
MUTTIL GRAMA PANCHAYAT, MUTTIL P.O,
WAYANAD DISTRICT - PIN-673 122**

**R1 & R2 BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA
R3 & R4 BY SRI.MANOJ RAMASWAMY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 18561 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE APPEAL NO. 807 OF 2014

**EXHIBIT P2: TRUE COPY OF THE WRITTEN STATEMENT IN APPEAL
NO 807 OF 2014**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY

P.A. TO JUDGE

bp

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.18561 of 2015

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Dated this the 24th day of June, 2015

JUDGMENT

The petitioner is seeking a direction to the respondents to hear Appeal No.807 of 2014 pending before the Tribunal for Local Self Government Institution.

2. The petitioner is the appellant and respondents 3 and 4 are the respondents 1 and 2 in the above appeal. The petitioner alleges that the pendency of the appeal before the 2nd respondent had prevented the concerned authorities from taking a final decision in the issue of regularisation of the building owned by him.

3. The petitioner further alleges that by Ext.P1, he had brought out the details in support of his contentions. The respondent panchayat had already filed written statement in Ext.P2 and the pleadings in this case are complete. Therefore, the delay in passing final orders in the aforesaid appeal by the learned Tribunal is unjust.

3. Heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

As the limited prayer in this writ petition is for a time bound disposal of the appeal pending before the Tribunal, the 2nd respondent is directed to consider and pass appropriate orders on Appeal No.807 of 2014, within a period of two months from the date of receipt of a copy of this judgment, after affording both sides an opportunity of being heard.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj