

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

WP(C).No. 18806 of 2015 (A)

PETITIONER :

**JESWIN P GEORGE, AGED 31 YEARS,
S/O.P.V.GEORGE, PULLIKOTIL PADIPURAKKAL HOUSE,
'JOICY VILLA', THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENT(S):

- 1. THRISSUR CORPORATION,
CORPORATION OFFICER, THRISSUR DISTRICT,
REPRESENTED BY THE SECRETARY, PIN- 680 001**
- 2. THE SECRETARY,
THRISSUR CORPORATION, CORPORATION OFFICER,
THRISSUR DISTRICT,PIN-680 001**
- 3. HAIRS JOSEPH,W/O.JOSEPH,
CHETTIPUZHAKKARAN HOUSE, PALLIKULAM ROAD,
THRISSUR-680 001**
- 4. C.J.JOHN, S/O.JOSEPH,
CHETTIPUZHAKKARAN HOUSE, PALLIKULAM ROAD,
THRISSUR-680 001**
- 5. C.J.FRANCIS,S/O.JOSEPH,
CHETTIPUZHAKKARAN HOUSE, PALLIKULAM ROAD,
THRISSUR-680 001**
- 6. C.J.BABU,S/O.JOSEPH,
CHETTIPUZHAKKARAN HOUSE, PALLIKULAM ROAD,
THRISSUR-680 001**
- 7. C.J.PAULY,S/O.JOSEPH,
CHETTIPUZHAKKARAN HOUSE, PALLIKULAM ROAD,
THRISSUR-680 001**
- 8. CHELOOR PROPERTY DEVELOPMENT PROJECTS LTD.,
CHELOOR RESIDENCY, SANKARANKULANGARA JUNCTION,
PUNKUNNAM, THRISSUR -680 002**

R1 & R2 BY SRI.C.A.MAJEED,SC,THRISSUR CORPORATION

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DTD. 03.03.2015
- P2: TRUE COPY OF THE REPRESENTATION DTD. 04.03.2015 SUBMITTED BY THE PETITIONER BEFORE THE ELECTRICITY DEPARTMENT OF THE 1ST RESPONDENT
- P3: TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER UNDER THE PROVISIONS RIGHT TO INFORMATION ACT
- P4: TRUE COPY OF THE REPLY RECEIVED BY THE PETITIONER IN RESPONSE TO EXT P3, ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER DTD. 04.04.2015
- P5: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER UNDER RIGHT TO INFORMATION ACT DTD. 31.03.2015
- P6: TRUE COPY OF THE REPLY GIVEN BY THE ELECTRICITY DEPARTMENT ATTACHED TO THE 1ST RESPONDENT DTD. 23.04.2015
- P7: TRUE COPY OF THE BUILDING PERMIT ISSUED TO RESPONDENTS 3 TO 7

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.18806 of 2015

Dated this the 23rd day of June, 2015.

JUDGMENT

The petitioner is seeking a positive direction from respondents 1 and 2 in considering Exts.P1 and P2 representations.

2. The petitioner alleges that respondents 3 to 7 obtained Ext.P7 building permit for construction of an apartment complex consisting of 35 residential flat. The apartment is being constructed by the 8th respondent for and on behalf of the respondents 3 to 7. As per Ext.P7 building permit, the construction has to comply with the provision under the Kerala Municipality Building Rules. The petitioner has filed Exts. P1 and P2 representations before both respondents 1 and 2 pointing out the alleged violation committed by the respondents 3 to 8 in the construction of the apartment complex; it is alleged. It is with this back ground, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner

and the learned standing counsel for the first respondent in the matter.

4. As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to respondents 1 and 2 to consider Exts.P1 and P2 representation, this Court is of the view that the writ petition can be disposed of even without issuing notice to other respondents.

In the result, the writ petition is disposed of directing respondents 1 and 2 to consider and pass appropriate orders on Exts.P1 and P2 representations, after affording the petitioner and the affected parties, 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 as well as the copy of this judgment before the respondents 1 and 2 at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.