

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 19291 of 2015 (J)

PETITIONER :

**PRADEEPKUMAR
S/O.GOPALAN, PALAKKURUMBIL (H), KOVOOR MLA ROAD
NELLIPPATHAZHAM, KUZHIMOCHILPARAMBU
KOZHIKODE-673 317.**

BY ADV. SRI.E.NARAYANAN

RESPONDENT(S) :

- 1. THE STATE OF KERALA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF URBAN AFFAIRS, SECRETARIAT
TRIVANDRUM-695 001.**
- 2. THE OLAVANNA GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY
GURUVAYURAPPAN COLLEGE P.O., KOZHIKODE,
PIN-673 014.**
- 3. THE SECRETARY
THE OLAVANNA GRAMA PANCHAYATH
GURUVAYURAPPAN COLLEGE P.O., KOZHIKODE,
PIN-673 014.**
- 4. OVERSEER,
THE OLAVANNA GRAMA PANCHAYATH,
GURUVAYURAPPAN COLLEGE P.O., KOZHIKODE,
PIN-673 014.**
- 5. HILITE BUILDERS PVT. LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR, 1003
TI, BUSINESS PARK, HILITE CITY, NH THONDAYAD BY-PASS
CALICUT, KERALA, INDIA, PIN-673 014.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 19291 of 2015 (J)

APPENDIX

PETITIONERS' EXHIBITS :

EXT. P1 : TRUE COPY OF THE REPRESENTATION DATED 27-4-2015 SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT PANCHAYATH.

EXT. P2 : TRUE COPY OF THE APPLICATION DATED 7-5-2015 SUBMITTED BY THE PETITIONER UNDER RTI ACT BEFORE THE SECOND RESPONDENT.

EXT. P3 : TRUE COPY OF THE REPLY DATED 5-6-2015 ISSUED BY THE SECOND RESPONDENT TO THE PETITIONER.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.19291 of 2015

Dated this the 26th day of June, 2015.

JUDGMENT

The petitioner has approached this Court alleging that Ext.P1 representation submitted by the petitioner has not been considered by the respondent panchayat so far.

2. The petitioner alleges that the fifth respondent has encroached upon a public canal situated within the local limits of the second respondent panchayat. Vide Ext.P1, the petitioner preferred a representation to the second respondent to take necessary action against the fifth respondent. Admittedly as per Ext.P3 reply, the panchayat has not taken any action in the matter.

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

4. As the only prayer in this writ petition is for a direction to the respondent panchayat to consider Ext.P1, 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 the respondent panchayat to consider and pass appropriate orders on Ext.P1, after affording the petitioner and the fifth respondent an opportunity of being heard, within a period of one month 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 respondent panchayat at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.