

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 19844 of 2015 (E)

PETITIONER :

**BINDHU SUDHAKARAN
W/O. SUDHAKARAN, AGED 42
KATTUPARAMBIL HOUSE, KONOTHUKUNNU P.O.
THRISSUR DISTRICT.**

BY ADV. SRI. K.I. SAGEER

RESPONDENT(S) :

- 1. VELLANGALLUR GRAMA PANCHAYATH,
REP. BY ITS SECRETARY, PANCHAYATH OFFICE,
P.O. KONOTHUKUNNU P.O. - 680 123, THRISSUR DISTRICT.**
- 2. PANCHAYATH COUNCIL OF VELLANGALLUR GRAMA PANCHAYATH,
REP. BY ITS PRESIDENT, PANCHAYATH OFFICE,
P.O. KONOTHUKUNNU -680 123, THRISSUR DISTRICT.**

**R1 & R2 BY ADVS. SRI.PHILIP T. VARGHESE
SRI.THOMAS T. VARGHESE
SMT.ACHU SUBHA ABRAHAM**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

WP(C).No. 19844 of 2015 (E)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1:- A TRUE COPY OF THE CASH RECEIPT DTD. 11/5/2015 AND 9/4/2015
ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.**
- EXT. P2:- A TRUE COPY OF THE NOTICE NO.A5/5231/2015 DTD. 22/6/2015 ISSUED
BY THE 1ST RESPONDENT.**
- EXT. P3: A TRUE COPY OF THE REPLY TO EXT. P2 NOTICE DTD. 29/5/2015
SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.**
- EXT. P4: A TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT AGAINST EXT. P2 DTD. JUNE 2015.**
- EXT. P5: A TRUE COPY OF THE STAY PETITION FILED IN EXT P4 APPEAL.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19844 of 2015

Dated this the 16th day of July, 2015.

JUDGMENT

The petitioner has approached this Court aggrieved by Ext.P2 notice issued by the respondent panchayath.

2. The petitioner is conducting a beauty parlour and tailoring shop in the name and style 'Beauty Spot Beauty Parlour & Tailoring' in the shopping complex No.6/345 of first respondent panchayath on lease from the year 1997 onwards. The petitioner alleges that she has obtained licence from the first respondent to run the said business and she is paying the monthly rent regularly without fail. The petitioner and her three employees are depending on the income from the said business. The petitioner alleges that the secretary of the first respondent has issued notice informing that her application for renewal of licence can be granted from 1.4.2015 to 30.6.2015 and required her to remit the rent for the said period. It was

also informed that the second respondent as per decision No.32 dated 23.4.2015 resolved that rental agreement cannot be extended after July 2015 and hence required her to surrender the key of the building. On receipt of Ext.P2, the petitioner submitted Ext.P3 reply. No action is seen taken on Ext.P3. Thereafter, the petitioner filed appeal against Ext.P2. Along with the appeal, she filed petition for interim direction to stay Ext.P2 till the disposal of appeal. Ext.P4 appeal is posted for hearing on 27.7.2015. Since there is a direction to hand over key on 1.7.2015, petitioner is left with no other remedy, than to approach this Court.

3. Today when the matter came up for hearing, the learned counsel for the respondent panchayat would submit that Ext.P4 appeal is pending before the second respondent and they are ready to dispose of within two weeks.

Recording the said submission, the writ petition is disposed of directing the second respondent to consider Ext.P4 appeal and pass appropriate orders thereon. If the decision in

Ext.P4 appeal is against the petitioner, it shall open to the petitioner to approach the concerned forum challenging the same within a period two weeks thereafter. Till that, no further action shall be taken on the basis of Ext.P2.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.