

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

WP(C).No. 21560 of 2015 (T)

PETITIONER:

**BASHEER RAVUTHUR, AGED 52,
S/O.HASSANKUTTY RAVUTHER,
BASHEER MANZIL, PEROORKARAZHMA MURI,
THAMARAKULAM VILLAGE, MAVELIKKARA TALUK.**

BY ADV. SRI.P.V.GEORGE(PUTHIYIDAM)

RESPONDENT(S):

- 1. DISTRICT COLLECTOR, COLLECTORATE,
ALAPPUZHA, ALAPPUZHA.P.O- 688 001.**
- 2. EXECUTIVE ENGINEER,
KALLADA IRRIGATION PROJECT, DIVISION NO.8,
KARUNAGAPPILLY - 690 518.**
- 3. ICDS OFFICER, BHARANIKAVU BLOCK,
KATTANAM.P.O- 690 503.**
- 4. TAHSILDAR, MAVELIKKARA TALUK OFFICE,
MAVELIKKARA.P.O-690 101.**
- 5. VILLAGE OFFICER,
THAMARAKULAM VILLAGE OFFICE,
THAMARAKULAM.P.O- 690 530.**

BY SENIOR GOVT. PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE SALE DEED NO.3/1988 DATED 2.1.88.
- EXT. P2 : TRUE COPY OF THE SALE TAX RECEIPT DATED 17.5.2014 ISSUED BY VILLAGE OFFICER, THAMARAKULAM.
- EXT. P3 : TRUE COPY OF APPLICATION DATED 17.12.2014 GIVEN BY PETITIONER TO THE 1ST RESPONDENT.
- EXT. P4 : TRUE COPY OF APPLICATION DATED 11.3.2015 GIVEN BY PETITIONER TO THE 2ND RESPONDENT.
- EXT. P5 : TRUE COPY OF APPLICATION GIVEN BY PETITIONER TO THE 4TH RESPONDENT DATED 25.6.2015.
- EXT. P6 : TRUE COPY OF PLAINT IN O.S.NO.323/15 ON THE FILE OF THE HON'BLE MUNSIFF'S COURT, MAVELIKKARA.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. VINOD CHANDRAN, J.

W.P(C). No.21560 of 2015

Dated this the 31st day of July, 2015.

JUDGMENT

The petitioner is aggrieved with the fact that the first respondent is constructing an Anganvady building, which would obstruct the ingress and egress of the petitioner's property. Admittedly, a suit has been filed as O.S. No.323 of 2015 before the Munsiff's Court, Mavelikkara with the same prayers.

In the circumstances, it is for the petitioner to get orders from the Civil Court and this is not a case, in which invocation of extraordinary jurisdiction under Article 226 of the Constitution of India can be made. The petitioner would be left to the remedies available before the Civil Court and definitely any construction made, will be subject to the result of the suit.

The writ petition is disposed of.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

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