

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 21692 of 2015 (J)

PETITIONER:

**HENDRY BASTIN, AGED 38 YEARS,
S/O.MANUAL, VALLOMTHAYIL HOUSE, ALANGAD VILLAGE,
ERNAKULAM DISTRICT**

BY ADV. SRI.K.S.RAJEEV (ALUVA)

RESPONDENT'S:

- 1. DEPUTY DIRECTOR OF PANCHAYATH,
CIVIL STATION, KAKKANAD, ERNAKULAM DISTRICT-682030**
- 2. THE SECRETARY,
ALANGAD GRAMA PANCHAYATH, NEERIKODE P.O,
ERNAKULAM DISTRICT, PIN-683511.**

BY GOVERNMENT PLEADER SMT.K.A.SAJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PTO

WP(C).No. 21692 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS

**P1: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO
THE SECOND RESPONDENT DATED 20.04.2015.**

**P2: TRUE COPY OF THE RECEIPT ISSUED TO THE PETITIONER
DATED 20.04.2015.**

**P3: TRUE COPY OF THE APPLICATION SUBMITTED TO THE PUBLIC
INFORMATION OFFICER, ALANGAD PANCHAYATH DATED 02.05.2015**

RESPONDENTS EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE

SMJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 21692 of 2015

Dated this the 20th day of July, 2015.

JUDGMENT

The petitioner has approached this Court for a direction to the second respondent to consider Ext.P1 representation submitted by the petitioner.

2. The petitioner alleges that he had made so many complaints to the second respondent to take action against the illegal construction carried out by one Mrs. Beena Jayan in her property near Alangad Police Station. The main allegation against the construction is that the aforesaid Beena Jayan had encroached the public road passing in front of the property and constructed wall on the protection wall constructed by the panchayath. The other main allegation is that recently she constructed a new room in front of her existing building in violation of Section 220 (b) of the Kerala Panchayath Raj Act. The aforesaid illegally constructed room is occupied and used as a shop room by the owner and the same way numbered by

the Grama Panchayath; it is alleged. The aforesaid construction was carried out without obtaining permit from the panchayath. Ext.P1 representation submitted by the petitioner, has not been considered by the second respondent and pending before the second respondent; it is alleged.

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

4. As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the second respondent to consider Ext.P1 representation, this Court is of the view that the writ petition can be disposed of even without issuing notice to the second respondent.

In the result, the writ petition is disposed of directing the second respondent to consider and pass appropriate orders on Ext.P1 representation, after affording the petitioner an opportunity of being heard, 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 second respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.