

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

WP(C).No. 22524 of 2015 (M)

PETITIONER :

**ALSTON BUILDERS & DEVELOPERS PVT. LTD.,
REPRESENTED BY ITS GENERAL MANAGER, 6TH FLOOR,
COMPASS BUILDING, NH BYEPASS, THAMMANAM POST,
KOCHI-32.**

**BY ADVS.SRI.M.SASINDRAN
SRI.V.VENUGOPAL**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD,
ERNAKULAM DISTRICT-682 030.**
- 2. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF AGRICULTURE, SECRETARIATE,
THIRUVANANTHAPURAM-695 001.**
- 3. THE DEPUTY COLLECTOR (LR),
COLLECTORATE, KAKKANAD, ERNAKULAM-682 030.**

BY GOVERNMENT PLEADER SRI.P.K.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05-08-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).No. 22524 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P1 : TRUE COPY OF THE BUILDING PERMIT FOR CONSTRUCTION OF A BUILDING OF WHICH PLINTH AREA IS 2964.60 SQ.MTR.IN SY.NOS.78/2, 78/2-1, 78/5-4 OF ALANGAD VILLAGE DT. 17-7-2012.
- EXT. P2 : TRUE COPY OF THE BUILDING PERMIT FOR CONSTRUCTION OF A BUILDING OF WHICH PLINTH AREA IS 2018.78 SQ.MTR.IN SY. NO.108/2B1 OF ALANGAD VILLAGE DT. 9-7-2012.
- EXT. P3 : TRUE COPY OF THE ORDER DT. 28-9-2013 ISSUED BY THE DISTRICT COLLECTOR.
- EXT. P4 : TRUE COPY OF THE PETITION DT. 5-12-2013 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXT. P5 : TRUE COPY OF THE JUDGMENT IN WPC.NO. 31008 OF 2013 DT. 19-12-2013.
- EXT. P6 : TRUE COPY OF THE NOTICE DT. 18-2-2015 ISSUED ON BEHALF OF THE FIRST RESPONDENT TO THE PETITIONER.
- EXT. P7 : TRUE COPY OF THE NOTICE DT. 4-5-2015 ISSUED ON BEHALF OF THE FIRST RESPONDENT

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. VINOD CHANDRAN, J.

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W.P.(C) No.22524 of 2015 - M

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Dated this the 5th day of August, 2015

J U D G M E N T

The petitioner is aggrieved with the disposal of proceedings as directed by Ext.P5. In fact the District Collector had directed resumption of property, which was alleged to have been filled up and the petitioner was before this Court challenging such order. Ext.P5 set aside the same and directed re-consideration of the issue. In the meanwhile the petitioner had approached this Court with another writ petition numbered as W.P.(C) No.1453 of 2015 seeking correction of data bank before the Local Level Monitoring Committee (LLMC). That report is also awaited.

2. In any event, the learned Government Pleader submits that the matter is posted to 17.08.2015. It is also

submitted that despite issuance of notice, the petitioner does not appear before the District Collector. In such circumstance, the petitioner is directed to appear before the District Collector on 17.08.2015.

The writ petition closed leaving open all contentions of either parties.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.