

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937**

**WP(C).No. 23454 of 2015 (F)**  
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**PETITIONER(S):**  
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**RAJI S. NAIR, AGED 57 YEARS,  
W/O.P.K.SURENDRANATHAN NAIR, NANDANAM HOUSE, 1/47 B,  
KUNNEKKAL P.O., VALAKOM, MUVATTUPUZHA - 682 316.**

**BY ADVS.SRI.PAUL K.VARGHESE  
SMT.A.A.GEETHA**

**RESPONDENT(S):**  
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- 1. THE STATE OF KERALA,  
REPRESENTED BY ITS SECRETARY (REVENUE),  
GOVT. SECRETARIAT, TRIVANDRUM - 695 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,  
MUVATTUPUZHA - 682 316.**
- 3. THE SUB INSPECTOR OF POLICE,  
MUVATTUPUZHA - 682 316.**
- 4. THE TAHSILDAR, TALUK OFFICE,  
MUVATTUPUZHA - 682 316.**
- 5. SAJI VARGHESE, AGED 45 YEARS,  
S/O.VARGHESE, KANNONATH HOUSE, KUNNEKKAL P.O.,  
VALAKOM, MUVATTUPUZHA - 682 316.**
- 6. VARGHESE, AGED 75 YEARS,  
S/O.LATE PAILY, KANNONATH HOUSE, KUNNEKKAL P.O.,  
VALAKOM, MUVATTUPUZHA - 682 316.**

**R1-R4 BY GOVERNMENT PLEADER SRI.GIKKU JACOB  
R5 BY ADV. SMT.VANAJA MADHAVAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**msv/**

**APPENDIX**

**PETITIONER(S)' EXHIBITS**

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**P1: A TRUE COPY OF THE REPORT NUMBER 271/14 SUBMITTED BY THE VILLAGE OFFICER VALAKOM VILLAGE TO REVENUE DIVISIONAL OFFICER MUVATTUPUZHA DATED 21/6/2014.**

**P2: A TRUE COPY OF THE ORDER NO.A 12-4446/14 KDIS ISSUED BY THE SUB DIVISIONAL MAGISTRATE MUVATTUPUZHA DATED 18/7/2014.**

**P3: A TRUE COPY OF THE FINAL ORDER NO.A 12-4446/14/KDIS ISSUED BY THE REVENUE DIVISIONAL MAGISTRATE MUVATTUPUZHA DATED 20/8/2014.**

**P4: A TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE REVENUE DIVISIONAL OFFICER MUVATTUPUZHA DATED NIL TO IMPLEMENT EXT.P4 ORDER.**

**P5: A TRUE PHOTOGRAPH OF THE DANGER CONDITION RUBBER TREES BELONGS TO THE 5TH AND 6TH RESPONDENTS WHICH ARE SLANDING TOWARDS THE RESIDENTIAL HOUSE, SHED ETC OF THE PETITIONER.**

**RESPONDENT(S)' EXHIBITS:**

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**NIL**

**//TRUE COPY//**

**P.S.TO JUDGE**

**Msv/**

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 23454 of 2015

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Dated this the 17<sup>th</sup> day of September, 2015

J U D G M E N T

The petitioner aggrieved by the non implementation of Ext.P3 order by the 2<sup>nd</sup> respondent has approached this Court.

2. This Court is of the view that if no interdictory order has been passed by any competent court or any authority staying the operation of Ext.P3, the 2<sup>nd</sup> respondent shall implement Ext.P3 within two weeks from the date of receipt of the copy of this judgment after issuing notice to the parties concerned.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE