

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

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

WP(C).No. 23750 of 2015 (P)

PETITIONER(S):

**GEORGE K.V., AGED 68 YEARS,
S/O.LATE VARGHESE, KALLARAKKAL HOUSE,
NELSON MANDELA ROAD, MULANTHURUTHY P.O., ERNAKULAM,
PIN: 682 314.**

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

RESPONDENT(S):

- 1. MULANTHURUTHY GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, MULANTHURUTHY,
ERNAKULAM - 682 314.**
- 2. PRESIDENT ROTARY TRUST,
ROTARY CLUB, ROTARY BHAVAN, MULANTHURUTHY,
NORTHERN SIDE OF CHENGALAPADOM RAILWAY GATE,
ERNAKULAM - 682 314, REPRESENTED BY ITS PRESIDENT.**
- 3. A.U.BOSE,
S/O.UTHUPP, AMBUTTU HOUSE,
NEAR NORTHERN SIDE CHENGANDAPALAM RAILWAY GATE,
MULANTHURUTHY P.O., ERNAKULAM, PIN: 682 314.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 23750 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: A TRUE COPY OF THE SETTLEMENT DEED NO.1835/75 OF MULANTHRUTHY SRO
DATED 18/10/75.**

**P2: A TRUE COPY OF THE LAND TAX RECEIPT ISSUED TO THE PETITIONER
DATED 21/5/2015.**

**P3: A TRUE COPY OF THE ORDER NO.A3/135/7-08 ISSUED BY THE 1ST RESPONDENT
DATED 18/2/2008.**

**P4: A TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 1ST
RESPONDENT DATED 17/7/2015.**

**P5: A TRUE COPY OF THE RECEIPT ISSUED BY THE 1ST RESPONDENT FOR
ACKNOWLEDGMENT OF EXHIBIT P4 DATED 17/7/2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Ms v/

A.V.RAMAKRISHNA PILLAI, J

WPC No.23750 of 2015

Dated this the 5th day of August, 2015

JUDGMENT

The petitioner is seeking a direction to the first respondent to consider Ext.P3 complaint submitted by the petitioner.

2. The petitioner is a senior citizen. The petitioner is the owner in possession of 50 cents of land in Sy.No.51/2 in Re.Sy.No.17/2 (Block No.23) of Mulanthuruthy Village obtained Ext.P1 as per settlement deed No.1835/75 of Mulanthuruthy SRO. However, few months back, the second and third respondents trespassed into the northern portion of the petitioner's property and put up structures violating the provisions of the Panchayat Raj Act as well as Building Rules. Therefore, the petitioner filed Ext.P4 complaint before the first respondent. However, it could not evoke any positive response. It is with this background, the petitioner has come up before

this Court.

3. As the limited prayer in this writ petition is for a time bound direction to the first respondent to consider Ext.P4, this Court is of the view that this writ petition can be disposed of even without issuing notice to the respondents.

Therefore, this writ petition is disposed of directing the first respondent to consider Ext.P4, after affording the petitioner and affected parties especially, respondents two and three, an opportunity of being heard, within a period of two weeks from the date of receipt of a copy of this judgment.

sd/- A.V.RAMAKRISHNA PILLAI
JUDGE

CSS/

true copy

P.S.TO JUDGE