

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 24291 of 2015 (J)

PETITIONER(S):

1. **AJAYAKUMAR, AGED 49 YEARS,
S/O.SIVASANKARAPILLAI, PUTHUVAYATHU HOUSE (USHUS),
AMPALATHUMBHAGOM P.O., PORUVAZHI VILLAGE,
KUNNATHOOR TALUK, KOLLAM DISTRICT.**
2. **USHAKUMARI,
W/O.AJAYAKUMAR, PUTHUVAYATHU HOUSE (USHUS),
AMPALATHUMBHAGOM P.O, PORUVAZHI VILLAGE,
KUNNATHOOR TALUK, KOLLAM DISTRICT.**

BY ADV. SRI.P.V.DILEEP

RESPONDENT(S):

1. **THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
2. **THE DEPUTY DIRECTOR OF PANCHAYATH,
COLLECTORATE, KOLLAM - 691 001.**
3. **THE SECRETARY,
PORUVAZHI GRAMA PANCHAYATH, PORUVAZHI,
AMPALATHUMBHAGOM P.O, KOLLAM DISTRICT - 691 321.**
4. **THE VILLAGE EXTENSION OFFICER,
PORUVAZHI, AMPALATHUMBHAGOM P.O.,
KOLLAM DISTRICT - 691 321.**
5. **SHAJI,
VALIAVILAYIL, KAMPALADI MURI, PORUVAZHI VILLAGE,
KOLLAM DISTRICT - 691 326.**

R1, R2 & R4 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 24291 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: A TRUE COPY OF THE APPLICATION WITH A/C.NO.4680 BEFORE THE
3RD RESPONDENTS OFFICE.**

**EXHIBIT P2: A TRUE COPY OF THE RECEIPT SHOWING THE ACCEPTANCE OF MONEY
FROM THE 3RD RESPONDENTS OFFICE.**

**EXHIBIT P3: A TRUE COPY OF THE AGREEMENT WITH THE 3RD RESPONDENT AND
THE PETITIONERS.**

**EXHIBIT P4: A TRUE COPY OF THE REPRESENTATION DATED 10.07.15 BEFORE THE
1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24291 of 2015

Dated this the 11th day of August, 2015.

J U D G M E N T

The petitioner is seeking a direction to the 1st respondent to consider Ext.P4 representation submitted by the petitioner.

2. The petitioners had submitted Ext.P1 application for a grant for the construction of a house under the E.M.S. Housing scheme in the year 2009-2010 before the 3rd respondent. Due to their financial crisis the house could not be completed and thereafter in January 2015, the petitioners sold their property to the 5th respondent. According to the petitioners, they are ready to remit the amount already granted, back to the 3rd respondent. However, the 3rd respondent is not accepting the same. Accordingly, they approached the 1st respondent for an immediate response. No action was taken by the 1st respondent, who is the authority concern in this regard. Therefore, the petitioners

filed Ext.P4 representation before the 2nd and 3rd respondents for the repayment of the said money. Since there was no response from that side also, the petitioners have approached this Court with this writ petition.

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

As the learned counsel for the petitioners confined his arguments to a limited prayer to the respondent to consider Ext.P4 representation, this writ petition is disposed of directing the 1st respondent to consider Ext.P4 representation, after affording an opportunity to the petitioners of being heard, which shall be done within one month from the date of receipt of copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI,
Judge.

ami/

//True copy//

P.A. to Judge