

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

WP(C).No. 26382 of 2015 (W)

PETITIONER(S):

PREMILA VIJAYAKUMAR, AGED 52 YEARS
W/O.VIJAYAKUMAR P, 38/581 (OLD NO.29/348) SOUPARNIKA
VATTEKKUNNAM, EDAPPILLY NORTH P.O, KOCHI 24.

BY ADVS.SRI.ABRAHAM P.GEORGE
SRI.K.VINODKUMAR (707/89)
SMT.M.SANTHY
SMT.M.D.BEENA

RESPONDENT(S):

1. SUDHEER E.S
S/O.SUDHAKARAN, THAMARASSERY HOUSE,VATTEKKUNNAM
EDAPPILLY NORTH P.O, KOCHI 24.
2. KALAMASSERY MUNICIPALITY
KALAMASSERY, REPRESENTED BY ITS SECRETARY
MUNICIPAL BUILDINGS, CHANGAMPUZHA NAGAR P.O
SOUTH KALAMASSERY KOCHI 33.
3. MUNICIPAL SECRETARY
KALAMASSERY MUNICIPALITY, CHANGAMPUZHA NAGAR P.O
SOUTH KALAMASSERY, KOCHI 33.

R BY SRI.M.K.ABOOBACKER,SC KALAMASSERY MUNICIPALITY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 26382 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. COPY OF THE COMPLAINT DATED 6.5.13 LODGED BY PETITIONER
BEFORE 2ND RESPONDENT MUNICIPALITY.

EXHIBIT P2. COPY OF THE FINAL ORDER PASSED BY 2ND RESPONDENT
MUNICIPALITY DATED 9.12.13 DIRECTING REMOVAL OF
UNAUTHORISED CONSTRUCTION.

EXHIBIT P3. COPY OF THE ORDER IN APPEAL NO.61/14 PASSED BY THE TRIBUNAL
FOR LOCAL SELF GOVERNMENT INSTITUTIONS.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.26382 of 2015

Dated this the 1st day of September, 2015

J U D G M E N T

The petitioner laments that follow up action has not been taken by the second respondent Municipality pursuant to Ext.P3 order of remand by the Tribunal for Local Self Government Institutions. The Municipality undertakes to comply with the order of remand by passing fresh orders on Ext.P1 complaint with due notice to the affected parties.

2. I direct the second respondent Municipality to pass final orders on Ext.P1 complaint with notice to the petitioner and the first respondent within two months. Needless to say that a detailed order shall be passed adverting to the contentions of either parties as warranted by Ext.P3 order of remand of the Tribunal.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.