

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

WP(C).No. 26759 of 2015 (S)

PETITIONER(S):

**SAJI MON SALIM AGED 36 YEARS
S/O.SALIM, KINATTINKARAYIL HOUSE, KUMALI P.O.
IDUKKI DISTRICT, PIN - 685 509.**

BY ADV. SRI.T.R.S.KUMAR

RESPONDENT(S):

- 1. THE SECRETARY, KUMALY GRAMA PANCHAYATH
KUMALI, IDUKKI DISTRICT, PIN - 685 509.**
- 2. THE SUB INSPECTOR OF POLICE
KUMALI POLICE STATION, KUMALI, IDUKKI DISTRICT
PIN - 685 509.**
- 3. NOORJAHAN
D/O.SHEIK ATTA RAWTHER, AGE NOT KNOWN NOORJAHAN NIVAS
ROSAPOOKANDAM, KUMILY, IDUKKI DISTRICT
PIN - 685 509.**

BY SR GOVERNMENT PLEADER SRI.P.J.DAVIS

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08-09-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 26759 of 2015 (S)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE COPY OF THE ORDER NO.B3-12116/14 DATED 17.1.2015 WITH
TRANSLATION.

EXT.P-2: TRUE COPY OF THE ORDER NO.B3-12116/14 DATED 12.8.2015 WITH
TRANSLATION.

EXT.P-3: TRUE COPY OF THE ORDER NO.B3-12116/14 DATED 13.8.2015 WITH
TRANSLATION.

RESPONDENT(S)' EXHIBITS NIL

//True Copy//

PS to Judge

Rp

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 26759 of 2015

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Dated this, the 8th day of September, 2015

J U D G M E N T

Shaffique, J.

Petitioner has approached this Court seeking for a direction to respondents 1 and 2 to take necessary action to stop illegal construction and to remove violations as noted in Ext.P1. It is complained that despite notices being issued by the Panchayat, the 3rd respondent is continuing with the illegal construction.

2. It is apparent that if there is any violation of the Kerala Panchayat Raj Act or Rules, it is definitely open for the Panchayat to initiate necessary action in the matter. Petitioner has approached this Court with a Public Interest Litigation. If there is inaction on the part of the Panchayat, it is for the petitioner to approach the Panchayat and seek appropriate directions. Without doing so, it is not possible for this Court to entertain this writ petition.

W.P(C) No.26759/2015

-:2:-

Accordingly, reserving right of the petitioner to approach the Panchayat seeking appropriate reliefs, this writ petition is closed.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge