

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

WP(C).No. 26835 of 2015 (D)

PETITIONER :

**CHAVARA SPECIAL SCHOOL
FOR THE MENTALLY CHALLENGED, KOONAMMAVU P.O.,
NORTH PARAVUR, ERNAKULAM DISTRICT, PIN-683 518
REP. BY ITS PRESIDENT SR.SUMA, CMC.**

**BY ADVS.SRI.K.V.SOHAN
SMT.SREEJA SOHAN K.
SRI.ROVIN RODRIGUES**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR
ERNAKULAM DISTRICT, CIVIL STATION, KAKKANAD P.O.,
PIN - 682 030.**
- 2. THE TAHSILDAR
PARAVUR TALUK, PARAVUR,
ERNAKULAM DISTRICT
PIN - 683 518.**
- 3. THE VILLAGE OFFICER
KOTTUVALLY VILLAGE,
ERNAKULAM DISTRICT,
PIN - 683 518.**
- 4. THE KOTTUVALLY GRAMA PANCHAYAT
KOTTUVALLY, ERNAKULAM, PIN-683 518
REP. BY ITS SECRETARY.**

**R1 TO R3 BY ADDL. ADVOCATE GENERAL SRI.K.A.JALEEL
BY GOVT. PLEADER SRI. T.P. SAJID**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 26835 of 2015 (D)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1. THE CERTIFICATE OF REGISTRATION RENEWED DATED 19.9.14 WITH EFFECT FROM 2.9.14.**
- EXHIBIT P2. TRUE COPY OF THE COMMUNICATION ISSUED BY THE GOVERNMENT OF INDIA, MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT OF EMPOWERMENT OF PERSONS WITH DISABILITIES DATED NIL JULY, 2015.**
- EXHIBIT P3. COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE RESPONDENT NO.2 DATED 24.8.15.**
- EXHIBIT P4. COPY OF THE REPORT SUBMITTED BY RESPONDENT NO.3, VILLAGE OFFICER, KOTTUVALLY VILLAGE DATED 25.8.15.**
- EXHIBIT P5. COPY OF THE REPORT SUBMITTED BY RESPONDENT NO.4 DATED 1.2.2007.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 26835 of 2015

Dated this the 12th day of October, 2015

J U D G M E N T

Petitioner is conducting a special school for mentally challenged students in Ward No.3 of Kottuvally Grama Panchayath (New Ward No.XII).

2. Petitioner approached this Court seeking a direction to respondent No.2 to issue Rural Area Certificate to the petitioner's school in Ward No.3 (New Ward No.XII) of Kottuvally Grama Panchayath.

3. According to the petitioner, the above area has not been notified as urban under the Delimitation Act and Pachayat Raj Act. Therefore, the petitioner is entitled for the Rural Area Certificate.

4. This Court is of the view that if the area is not notified as urban area under the Delimitation Act or the Kerala Panchayat Raj Act, appropriate rural area certificate has to be issued to the

petitioner. Needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

sd/-

A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO.26835 OF 2015

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