

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

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

WP(C).No. 26894 of 2015 (J)

PETITIONER(S):

FASEENA ABDUL SALAM, AGED 37 YEARS
W/O.ABDUL SALAM, MANAKKATTU HOUSE, H.M.T.COLONY P.O.
KALAMASSERY, ERNAKULAM DISTRICT-683503.

BY ADVS.SRI.K.ABDUL JAWAD
SRI.MATHEW A KUZHALANADAN
SMT.V.K.ANJU

RESPONDENT(S):

1. THE KALAMASSDREY MUNICIPALITY
REPRESENTED BY ITS SECRETARY, KALAMASSERY
ERNAKULAM DISTRICT-683503.
2. THE SECRETARY
KALAMASSERY MUNICIPALITY, KALAMASSERY
ERNAKULAM DISTRICT-683503.

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

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. 26894 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : TRUE COPY OF THE PROVISIONAL ORDER AND NOTICE DT.10-10-2014 ISSUED
BY THE RESPONDENT.

P2 : TRUE COPY OF THE ORDER DT.29-4-15 IN APPEAL NO.1247/14 PASSED BY THE
TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS,
THIRUVANANTHAPURAM.

P3 : TRUE COPY OF THE REPLY STATEMENT DT.4-9-2015 SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT.

P4 : TRUE COPY OF THE RECEIPT DT.4-9-15 ISSUED BY THE RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.26894 of 2015

Dated this the 8th day of September, 2015

J U D G M E N T

It is true that Ext.P3 objection was not filed to Ext.P1 provisional order within the time permitted in Ext.P2 order. But then the petitioner has a contention that his counsel suffering from brain haemorrhage did not inform him about the implications of Ext.P2 order in time.

2. Interest of justice will be met by directing the second respondent to consider Ext.P3 objection filed to Ext.P1 provisional order on merits within a period of one month after due notice. Needless to say that the petitioner shall be afforded an opportunity of being heard as directed in Ext.P2 order.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.