

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 27458 of 2015 (F)

PETITIONER:

**K.P.THOMAS
KARINGATTIL, K.O. PHILIP AND COMPANY
M.C. ROAD, CHENGANNUR,
PINCODE - 689 121**

**BY ADVS.SRI.C.M.MOHAMED SHERIFF
SRI.V.M.SYAM KUMAR
SMT.KRIPA ELIZABETH MATHEWS
SMT.P.F.ROSY**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO
GOVERNMENT, LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001**
- 2. CHENGANNUR MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
CHENGANNUR, KERALA - 689 121**
- 3. THE SECRETARY, CHENGANNUR MUNICIPALITY
CHENGANNUR, KERALA - 689 121**

**R1 BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA
R2 & R3 BY SRI.S.HARIKRISHNAN, SC, CHENGANNUR MUNICIPALITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
11-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE LAND TAX RECEIPT DATED 01.09.2015 WITH REGARD TO THE PROPERTY**
- P2 : COPY OF THE TAX RECEIPT DATED 21.08.2015**
- P2(a) : COPY OF THE TAX RECEIPT DATED 21.08.2015**
- P2(b) : COPY OF THE TAX RECEIPT DATED 21.08.2015**
- P2(c) : COPY OF THE TAX RECEIPT DATED 21.08.2015**
- P2(d) : COPY OF THE TAX RECEIPT DATED 21.08.2015**
- P3 : COPY OF THE RECEIPT FOR THE REMITTANCE OF LICENSE FEES FOR THE YEAR 2015-16**
- P4 : COPY OF THE COMMUNICATION DATED 27.11.2014**
- P4(a): COPY OF THE DEMAND NOTICE DATED 27.12.2014**
- P5 : COPY OF THE LETTER DATED 9.12.2014 SUBMITTED BY THE PETITIONER**
- P5(a) : COPY OF THE ACKNOWLEDGMENT ISSUED BY THE THIRD RESPONDENT**
- P6 : COPY OF THE NOTICE DATED 05.01.2015 FROM THE THIRD RESPONDENT**
- P6(a): COPY OF THE REQUEST TO POSTPONE THE HEARING SUBMITTED BY THE PETITIONER**
- P7 : COPY OF THE NOTICE DATED 10.2.2015 ISSUED BY THE THIRD RESPONDENT**
- P8 : COPY OF THE COMMUNICATION DATED 11.3.2015 ISSUED BY THE THIRD RESPONDENT**
- P9: COPY OF THE ORDER ISSUED BY THE THIRD RESPONDENT DATED 18.08.2015**
- P10 : COPY OF THE REVIEW PETITION DATED 21.08.2015 FILED BY THE PETITIONER**
- P11 : COPY OF THE ORDER DATED 04.09.2015 ISSUED BY THE THIRD RESPONDENT**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 27458 OF 2015

Dated this the 11th day of September, 2015

JUDGMENT

Exts. P9 and P11 orders passed in terms of Section 242 of the Kerala Municipality Act, 1994 are impugned. The petitioner has an effective alternate remedy by way of an appeal against these orders under Section 509(2) of the above Act.

2. Any appeal filed to the Standing Committee for Finance within two weeks from today shall be dealt with within four weeks therefrom. The coercive steps pursuant to Exts. P9 and P11 orders shall be put on hold for a period of three weeks.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS