

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 27790 of 2014 (W)

PETITIONER :

**AJITH KUMAR,
MANSIONBLISS, KANNENKARA BUILDING,
PALLITHOTTAM WARD, KOLLAM-691 006.**

BY ADV. SRI.T.RAJESH

RESPONDENT(S):

- 1. DEPARTMENT OF ADMINISTRATION,
REPRESENTED BY ITS SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
TRIVANDRUM-695 001.**
- 2. KOLLAM CORPORATION,
CORPORATION OFFICE, KOLLAM,
REPRESENTED BY ITS COMMISSIONER,
COMMISSIONER KOLLAM CORPORATION,
PIN-691 001.**
- 3. COMMISSIONER,
CORPORATION OF KOLLAM, KOLLAM-691 001.**

**R1 BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA
R2 & R3 BY SRI.M.K.CHANDRA MOHAN DAS,SC,KOLLAM MPT**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- P1- A TRUE COPY OF THE APPLICATION DATED 14.11.1994 SUBMITTED BY THE PETITIONER.
- P2- A TRUE COPY OF THE NOTICE DATED 9.2.1996 ISSUED BY THE SECRETARY KOLLAM MUNICIPALITY.
- P3- A TRUE COPY OF THE EXEMPTION ORDER GRANTED BY THE 1ST RESPONDENT TO THE ALLEGED VIOLATIONS.
- P4- A TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THEN MUNICIPAL SECRETARY BY THE PETITIONER 16.8.2000.
- P5- A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE JOINT DIRECTOR OF MUNICIPAL ADMINISTRATION.
- P6- A TRUE COPY OF THE REPRESENTATION DATED 29.09.2014 SUBMITTED BEFORE THE THIRD RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 27790 of 2014

Dated this the 8th day of July, 2015

J U D G M E N T

Aggrieved by the inaction on the part of the respondents in numbering the building, the petitioner has come up before this Court.

2. The petitioner, who had put up a construction on the 1st floor of the building, had been proceeded against, on the ground that exemption was not obtained by him for the violations, the municipal authorities claimed to have noticed. The petitioner approached the Government and obtained an order regularizing the construction, which the municipal authorities alleged as unauthorized. The petitioner alleges that even after obtaining exemption from the Government, which allowed regularization of the building of the petitioner, no action was taken by the municipal authorities to number the building. Thereafter, the municipality was reorganized as 2nd respondent corporation. The petitioner approached the 3rd respondent also to get the building numbered. Even though the 3rd

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respondent was appraised of the situation, no action had been taken by the authorities stating the reason that the file pertaining to the petitioner's building is missing. According to the petitioner, the respondents are not justified in not numbering the building and on account of the failure on the part of the respondents in numbering the building, the petitioner is not in a position to use the same. Hence, this writ petition.

2. Arguments have been heard.

Considering the facts and circumstances of the case, the writ petition is disposed of directing the respondents to expedite the process and number the building within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment as well as a copy of this writ petition before the respondents at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-