

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

WP(C).No. 32356 of 2009 (L)

PETITIONER(S):

**KUNHARAMU, OLAPPULAN HOUSE,
UNNIYALUNGAL PARAPPUR POST.**

BY ADV. SRI.C.M.MOHAMMED IQUABAL.

RESPONDENT(S):

- 1. REVENUE DIVISIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT.**
- 2. VILLAGE OFFICER, PARAPPUR VILLAGE,
MALAPPURAM DISTRICT.**
- 3. PARAPUR GRAMA PANCHAYAT,
PARAPPUR POST, MALAPPURAM DISTRICT,
REPRESENTED BY ITS SECRETARY.**
- 4. ESSAR TELECOM INFRASTRUCTURE PVT. LTD.,
36/2624, FIRST FLOOR, CHERAMANGALATH, SHENOY ROAD,
KALOOR, ERNAKULAM DISTRICT-682 017.**
- 5. THUPPILIKKATT KUNHAMMAD, UNNIYALUNGAL,
PARPUR POST, MALAPPURAM DISTRICT.**

**R1 & R2 BY GOVT. PLEADER SRI.S. JAMAL.
R3 BY ADV. SRI.BABU S. NAIR.
R4 BY ADVS. SRI.SATHISH NINAN,
SRI.SANTHOSH MATHEW,
SRI.ARUN THOMAS.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE JUDGMENT PASSED BY THIS HONOURABLE COURT DATED 28/07/2009 PASSED IN WP(C).NO.21226/2009.
- EXT.P2 COPY OF THE PETITION FILED BEFORE THE FIRST RESPONDENT BY THE PETITIONER.
- EXT.P3 COPY OF THE REPORT FILED BY THE SECOND RESPONDENT ON 06/08/2009.
- EXT.P4 COPY OF THE STOP MEMO ISSUED BY THE FIRST RESPONDENT DATED 06/08/2009.
- EXT.P5 COPY OF THE MINUTES OF THE THIRD RESPONDENT DATED 01/10/2009.
- EXT.P6 COPY OF THE ORDER OF THE FIRST RESPONDENT DATED 27/10/2009.
- EXT.P7 COPY OF THE G.O. DATED 10/08/2009.

RESPONDENT'S EXHIBITS:-

- EXT.R4A COPY OF THE BUILDING PERMIT NO.28/09-10 DATED 17/07/2009 ISSUED BY THE SECRETARY OF THE PARAPPUR GRAMA PANCHAYAT.
- EXT.R4B COPY OF THE RECEIPTS.
- EXT.R4C COPY OF THE ARGUMENT NOTE DATED 10/08/2009.
- EXT.R4D COPY OF THE LETTER NO.REF.4676/09D DATED 18/09/2009 ISSUED BY THE RDO.
- EXT.R4E COPY OF THE NOTICE NO.A5/93/09 DATED 17/09/2009 ISSUED BY THE PANCHAYAT.
- EXT.R4F COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT DATED 05/10/2009.
- EXT.R4G COPY OF THE ORDER OF THE RDO DATED 27/10/2009.
- EXT.R4H COPY OF THE INTERIM ORDER IN WP(C).NO.32138/2009.

//TRUE COPY//

P.S. TO JUDGE

rs.

K. Vinod Chandran, J

W.P.(C).No.32356 of 2009-L

Dated this the 29th day of July, 2015

JUDGMENT

The grievance of the petitioner was with respect to the construction of a mobile tower, which was said to cause danger to the residents.

2. The writ petition itself is of the year 2009 and there was no interim order granted. The respondent also submits that the mobile tower has been constructed, with police protection.

3. In the above circumstances, the writ petition would, on all counts, be infructuous as well. However, if the petitioner has any subsisting grievance, the petitioner would have to approach the appropriate authorities.

The writ petition would stand closed with the above liberty. No costs.

Sd/-

K.Vinod Chandran
Judge.

vku/-

[true copy]