

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WP(C).No. 28436 of 2015 (D)

PETITIONER :

SUREKHA NAMBIAR, AGED 50 YEARS,
W/O. SHAJI MON.P, NANDANAM, PERUMPANACHY P.O.,
CHENGANACHERRY, PIN:686536.

BY ADVS.SRI.K.B.PRADEEP
SRI.MILESH.V.PAVIYALA

RESPONDENTS :

1. THE THAHASILDAR,
CHANGANACHERRY TALUK, CHANGANACHERRY, PIN:686501.
2. MADAPALLY PANCHAYAT,
CHANGANACHERRY, MAMMOODU P.O.,
REPRESENTED BY ITS SECRETARY, PIN:686536.
3. VILLAGE OFFICER,
MADAPALLY VILLAGE, THENGANA, PERUMPANACHY PIN:686536.

R2 BY ADV. SRI.LAL GEORGE,SC,MADAPPALLY GRAMA PANCHAYAT
BY GOVERNMENT PLEADER SRI.LIJU V.STEPHEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 28436 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE ORDER NO.E-8-2887/03 DATED 31.5.2003
ASSESSING THE BUILDING FOR BUILDING TAX.

EXHIBIT P2: TRUE COPY OF REQUEST LETTER DATED 12.8.2015 ADDRESSING THE IST
RESPONDENT TO EXEMPT THE PETITIONER FROM LEVYING LUXURY TAX.

EXHIBIT P3: TRUE COPY OF THE POST CARD LETTER DATED 7.9.2015 FROM VILLAGE
OFFICER, MADAPALLY DEMANDING THE PETITIONER TO LUXURY TAX.

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.28436 of 2015

Dated this the 25th day of September, 2015

JUDGMENT

The petitioner, who is stated to be the owner of a building bearing No.2/200-A (new No.17/275) at Perumpanachy in Madappally Village, has filed this Writ Petition seeking a writ of mandamus commanding the 1st respondent to re-measure her residential building and to exempt the said building from levy of luxury tax under Section 5A of the Kerala Building Tax Act. Highlighting the aforesaid grievances the petitioner has filed Ext.P2 representation before the 1st respondent. It is aggrieved by non-disposal of Ext.P2 representation the petitioner is before this Court in this Writ Petition seeking various reliefs.

2. Heard the arguments of the learned counsel for the petitioner, learned Government Pleader appearing for respondents 1 and 3 and also the learned Standing Counsel for the 2nd respondent Grama Panchayat.

3. It is aggrieved by non-disposal of Ext.P2 representation the petitioner is before this Court.

In such circumstances, without going into the merits of the contentions raised by the petitioner, this Writ Petition is disposed of directing the 1st respondent to consider and pass appropriate orders on Ext.P2 representation, as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a certified copy of this judgment. All the contentions raised by the petitioner are left open since the Writ Petition is disposed of without going into the merits of the case.

Sd/-

ANIL K.NARENDRAN, JUDGE

skj