

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 29668 of 2015 (G)

PETITIONER :

R.KRISHNANKUTTY NAIR, AGED 72 YEARS
S/O.RAMAKRISHNAN NAIR, RAGAM, PERUKAAVU
VILAVOORKKAL VILLAGE, NEYYATTINKARA TALUK
THIRUVANANTHAPURAM DISTRICT.

BY ADVS.SRI.P.ANOOP (MULAVANA)
SRI.S.VINODKUMAR (VANCHIYOOR)

RESPONDENTS :

1. THE SECRETARY TO GOVERNMENT
LOCAL SELF GOVERNMENT(RA), DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR
CIVIL STATION, KUDAPPANAKUNNU,
THIRUVANANTHAPURAM.
- *3. THAHASILDAR
NEYYATTINKARA TALUK OFFICE
THIRUVANANTHAPURAM DISTRICT. (*CORRECTED)
4. VILAVOORKKAL GRAMA PANCHAYAT
THIRUVANANTHAPURAM DISTRICT
REPRESENTED BY ITS SECRETARY-695571.

R1 TO R3 BY GOVT. PLEADER SRI. BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Mn

The address of the 3rd respondent is corrected as 'Addl. Thahasildar,
Kattakada, Thiruvananthapuram District' as per order dated 21/12/15
in I.A. No. 18126/15.

Sd/- Assistant Registrar

...2/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1:- TRUE COPY OF THE TAX RECEIPT IN SY. NO. 226/4-2 OF VILAVOORKKAL VILLAGE.
- EXT. P2:- TRUE COPY OF THE LETTER 54232/R.A1/2013 DTD. 2/1/2014.
- EXT. P3:- TRUE COPY OF THE LETTER NO. A4/818/2014 FORWARDED BY THE 4TH RESPONDENT TO 1ST RESPONDENT DTD .12/2/2014.
- EXT. P4:- TRUE COPY OF THE REPORT NO. SC4/2014/SRT OF THE SUPERINTENDENT OF POLICE, VIGILANCE AND ANTICORRUPTION BUREAU, SOUTHERN RANGE, THIRUVANANTHAPURAM DISTRICT DTD. 5/5/2014.
- EXT. P5:- TRUE COPY OF THE REPRESENTATION FORWARDED BY THE PETITIONER TO THE HON'BLE CHIEF MINISTER OF KERALA DTD. 21/7/2014.
- EXT. P6:- TRUE COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT TO THE 3RD RESPONDENT DTD. 21/7/2014.
- EXT. P7:- TRUE COPY OF THE NOTICE NO. 47766/R.A.1/2014 DTD. 25/7/2014.
- EXT. P8:- TRUE COPY OF THE LETTER NO. 53/D3/2015/VIGI DTD. 6/1/2015.
- EXT. P9:- TRUE COPY OF THE LETTER DTD. 25/2/2015 OF THE 2ND RESPONDENT.
- EXT. P10:- TRUE COPY OF THE REPRESENTATION DTD. 18/5/2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C).No. 29668/2015

Dated this the 30th Day of September, 2015

J U D G M E N T

The petitioner, alleging encroachment into public pathway by some of the residents on the either side of road, had approached the Authorities. He relies on Exhibit P4 report of the Vigilance and Anti-Corruption Bureau. The He has also approached the District Collector to take appropriate action.

2. This Court is of the view that the third respondent shall after adverting to the vigilance report and other appropriate materials take a decision after hearing the petitioner and the persons who have encroached upon the public property. Needful shall be done with two months from the date of receipt of a copy of this judgment

The writ petition is disposed of as above. No costs.

Sd/-

(A.MUHAMED MUSTAQUE, JUDGE)

ms