

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 32470 of 2015 (G)

PETITIONER :

**K.M.M. SIDDIQ MUSSALIAR,
S/O.ABDUL LATHEEF MUSSALIAR, FATHIMA BHAVAN,
KURATTISSERY VILLAGE, MANNAR.P.O.,
ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.M.RAMASWAMY PILLAI
SMT.PREETHY R. NAIR**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY REVENUE SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001**
- 2. THE DISTRICT COLLECTOR, COLLECTORATE,
ALAPPUZHA-689 622**
- 3. THE SUB DIVISIONAL MAGISTRATE
(REVENUE DIVISIONAL OFFICER), COLLECTORATE,
ALAPPUZHA-689 622**
- 4. THE TAHSILDAR, CHENGANNUR TALUK,
CHENGANNUR-689 612**
- 5. THE VILLAGE OFFICER, KURATTISSERY VILLAGE,
CHENGANNOOR-689 612**
- 6. SURESH, KARENCHERIL HOUSE, KURATTISSERY VILLAGE,
MANNAR.P.O., ALAPPUZHA DISTRICT-689 622**

R1 TO R5 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.32470/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE REPRESENTATION ON 05/01/2015 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT**
- P2 COPY OF THE JUDGMENT DATED 13/2/2015 IN WRIT PETITION NO.4645 OF 2015.**
- P3 COPY OF THE NOTICE DATED 16/04/15 PASSED IN FILE NO.601/2015**
- P4 COPY OF THE ARGUMENT NOTE SUBMITTED BY THE PETITIONER DATED 22/04/2015**
- P5 COPY OF THE ORDER DATED 15/5/2015 OF THE 3RD RESPONDENT**
- P6 COPY OF THE APPLICATION DATED 17/06/2015 BEFORE THE 3RD RESPONDENT**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 32470 of 2015

Dated this the 27th day of October, 2015

JUDGMENT

The petitioner approached 3rd respondent to implement Ext.P5 order passed by the Revenue Divisional Officer under Section 133 of the Criminal Procedure Code.

2. The petitioner's case is that the Revenue Divisional Officer has ordered to be cut and remove the coconut trees slanting over the petitioner's house as per Ext.P5 and no action has been taken thereafter, to implement the order.

3. This Court is of the view that if Ext.P5 order is not interdicted by any competent court or higher authorities, the Revenue Divisional Officer shall ensure that the order is enforced within two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE