

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 33423 of 2014 (C)

PETITIONER:

ALBERT, AGED 35 YEARS,
S/O. THOMAS, RESIDING AT NEELANGATTU HOUSE, NO.31,
MAY FIRST ROAD, THAMMANAM P.O., ERNAKULAM - 682 032.

BY ADVS.SRI.V.JAYAPRADEEP
SRI.ABE RAJAN

RESPONDENT:

THE CORPORATION OF KOCHI,
REPRESENTED BY ITS SECRETARY, KOCHI - 682 006.

R1 BY ADV. SRI.K.ANAND, SC, COCHIN CORPORATION
R BY SRI.P.K.SOYUZ, SC, COCHIN CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1 - THE PHOTOGRAPHS SHOWING THE DANGEROUS EXPOSURE AND
CONTAMINATION WITH GARBAGE.

P2- THE COPY OF THE REPRESENTATION DT. 24.9.14 SUBMITTED BY THE
PETITIONER.

RESPONDENT'S EXHIBITS : NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 33423 of 2014 C

Dated this the 8th day of January, 2015.

JUDGMENT

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the petitioner, a resident of the respondent Corporation, has a grievance that a wide canal named 'Punchathodu', which is near to the petitioner's residence, has been lying without maintenance for many years, thus exposing the residents of the locality to hardship. It is his contention that on an earlier occasion, the respondent Corporation has taken a decision to construct side walls to the said canal and even funds have been allotted for the said purpose. Despite lapse of more than 4 years, the Corporation, pleads the petitioner, has not taken any steps so far. Thus,

ventilating his grievance, the petitioner is said to have submitted a series of representations, the latest being Ext.P2 dated 24.09.2014. Questioning the delay in considering Ext.P2 by the authorities, the petitioner has filed the present writ petition.

In the facts and circumstances, having regard to the respective submissions of the learned Counsel for the petitioner and the learned Standing Counsel, this Court, without expressing any opinion on the merits of the matter, disposes of the writ petition with a direction to the respondent to consider Ext.P2 representation in accordance with law and pass appropriate orders thereon, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment. No order as to costs.

sd/- DAMA SESHADRI NAIDU, JUDGE.

