

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 34881 of 2014 (I)

PETITIONER(S) :

**REGHUNATHAN PILLAI, AGED 53 YEARS,
S/O.SREEDHARAN PILLAI, 'ANJU NIVAS', MUKHATHALA P.O.,
THRIKKOVLVATTOM GRAMA PANCHYATH, KOLLAM DISTRICT.**

BY ADV. SRI.V.VENUGOPALAN NAIR

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
KOLLAM- 686 001.**
- 2. THE THRIKKOVLVATTOM GRAMA PANCHAYATH,
KOLLAM DISTRICT, REPRESENTED BY ITS SECRETARY- 686 001.**
- 3. THE DISTRICT POLICE CHIEF,
KOLLAM CITY- 686 001.**
- 4. MR.S.PRADEEP,
S.J.NIVAS, KURUMANNA, THRIKKOVLVATTOM,
MUKHATHALA P.O., KOLLAM.**

R1 & R3 BY GOVERNMENT PLEADER SRI.MANOJ.P.KUNJACHAN

**R2 BY ADVS. SRI.P.CHANDRASEKHAR
SRI.SOORAJ T.ELENJICKAL
SMT.UMA GOPINATH
SRI.S.PRASANTH
SRI.P.SREEKUMAR
SMT.P.M.MAZNA MANSOOR**

R4 BY ADV. SRI.G.SREEKUMAR (CHELUR)

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 24-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 34881 of 2014 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: A TRUE COPY OF THE ORDER PASSED BY THE 1ST RESPONDENT
REFUSING NOC DATED ISSUED BY THE 2ND RESPONDENT
DATED 27/09/2014.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J

W.P(C) No.34881 of 2014

Dated this the 24th day of June, 2015

J U D G M E N T

The petitioner is aggrieved with Ext.P1 order.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader, the learned counsel for the 2nd respondent.

3. The petitioner's prayer before the District Collector was for construction of a temple within the property owned by the petitioner. The District Collector called for a report from the Tahsildar and the District Police Chief as also from the Panchayat. It is indicated in Ext.P1 that all the three authorities recommended against such building of a temple for reason of there being chances for social unrest. Even prior to the request made by the petitioner, it is seen from Ext.P1 that the nearby residents had made a complaint with reference to the construction of the temple.

4. The District Collector, the head of the District

Administration has the authority to look into such matters and it may not be possible for this Court to extend its extraordinary jurisdiction under Article 226. There is nothing warranting interference with Ext.P1, since the petitioner does not controvert any of the reports relied on by the District Collector. The petitioner only asserts his desire to consecrate his family deity. Such desire has to concede to the public peace.

In such circumstance, no writ will be issued. Writ petition would stand dismissed.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge