

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

WP(C).No. 37040 of 2015 (D)

PETITIONER(S) :

**AMMINI, AGED 75 YEARS,
W/O.PURUSHOTHAMAN, KANNAMANGALAM,
NEAR SASTHA TEMPLE DEVIKULAM, IDUKKI DISTRICT.**

**BY ADVS.SRI.C.A.NAVAS
SRI.T.K.SASIKUMAR
SRI.C.J.SOLOMAN
SMT.E.G.AMBILY
SRI.P.A.SHAJI SAMAD**

RESPONDENT(S) :

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE DISTRICT COLLECTOR, COLLECTORATE, IDUKKI,
PAINAVU P.O. IDUKKI DISTRICT- 677 016.**
- 3. THE REVENUE DIVISIONAL OFFICER,
DEVIKULAM, IDUKKI DISTRICT- 677 016.**
- 4. THE TAHSILDAR,
DEVIKULAM THALUK, THALUK OFFICE, DEVIKULAM P.O- 677 016.**
- 5. THE ADDITIONAL TAHSILDAR,
DEVIKULAM THALUK, DEVIKULAM P.O- 677 016.**
- 6. THE VILLAGE OFFICER, K.D.H VILLAGE, DEVIKULAM P.O.,
IDUKKI DISTRICT- 671 016.**

BY SPL.GOVERNMENT PLEADER SMT.SUSHEELA.R.BHATT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXT.P-1: PHOTOSTAT COPY OF THE COMPLETION CERTIFICATE
 DATED 03.03.2010.**
- EXT.P-2: PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY MUNNAR
 GRAMA PANCHAYATH DATED 23.07.2008.**
- EXT.P-3: PHOTOSTAT COPY OF THE PROPERTY TAX RECEIPT
 DATED 27.10.2015.**
- EXT.P-4: PHOTOSTAT COPY OF THE BUILDING NUMBER BOARD.**
- EXT.P-5: PHOTOSTAT COPY OF THE SHOWING THE NATURE OF
 THE DILAPIDATED HOUSE OF THE PETITIONER.**
- EXT.P-6: PHOTOSTAT COPY OF THE ORDER DATED 21.01.2010 IN
 W.P.(C).NO.1801/2010 OF THE HONOURABLE HIGH COURT.**
- EXT.P-7: PHOTOSTAT COPY OF THE REPORT NO.444/2015 DATED 13.07.2015**
- EXT.P-8: PHOTOSTAT COPY OF THE REPORT NO.C2 8587/2015
 DATED 13.08.2015 ALONG WITH SKETCH.**
- EXT.P-9: PHOTOSTAT COPY OF THE SHOWING REPORT NO.S12-8587/15
 DATED 17.08.2015.**
- EXT.P-10: PHOTOSTAT COPY OF THE APPLICATION DATED 08.07.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.37040 of 2015

Dated this the 10th day of December, 2015

JUDGMENT

The petitioner is an owner of a property comprised in resurvey No.20/1 of KDH Village. It is a residential building. This has been damaged and she wants to reconstruct the same. She filed an application before the Tahsildar for seeking No Objection Certificate. Ext.P9 is the recommendation of the Tahsildar to the Sub Collector.

This Court is of the view that Ext.P9 shall be forwarded to the second respondent-District Collector and the District Collector shall consider the application for No Objection Certificate. Needful shall be done within one month from the date of receipt of a copy of this judgment. It is made clear that if the petitioner is granted No Objection Certificate, the work shall be undertaken by the petitioner in the presence of the Officer deputed by the District Collector.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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