

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 38506 of 2015 (K)

PETITIONER:

**JOHN C, AGED 65 YEARS, S/O.M.C.CHACKO,
KOTTARAZHIKATHU VEEDU, VENGOOR MURI,
VENGOOR P.O, ELAMADU VILLAGE,
KOTTARAKARA.**

BY ADV. SRI.SYAM J SAM

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, KOLLAM - 691 001.**
- 2. THE SECRETARY,
INDIAN PENTECOSTAL CHURCH (IPC),
VENGOOR MURI, VENGOOR P.O,
KOTTARAKARA - 691 001.**
- 3. THE PRESIDENT,
INDIAN PENTECOSTAL CHURCH (IPC),
VENGOOR MURI, VENGOOR P.O,
KOTTARAKARA- 691 001.**

R1 BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 38506 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT. P1 - THE TRUE COPY OF THE NOTICE ISSUED BY THE
 FIRST RESPONDENT.**

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 38506 of 2015

Dated this the 21st day of December, 2015

JUDGMENT

This writ petition is related to the right use of the burial ground. The petitioner has filed a suit in O.S.No.37/2013 on the file of Munsiff Court, Kottarakara. By an interim order, the third respondent was restrained from burying any corpus in the plaint property therein. It is claimed by the petitioner that injunction was made absolute and appeal filed by the third respondent, was also rejected.

2. It is further submitted that the suit was dismissed for default and the petitioner has filed an application for restoration.

3. The petitioner has approached this Court challenging a notice issued by the District Collector, produced as Ext.P1, based on a complaint filed by the third respondent.

4. This Court is of the view that the petitioner shall co-operate with the notice issued by the District Collector. However, the District Collector shall not enforce any order, if any passed, for a period of two months.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bpr