IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 5TH DAY OF AUGUST 2024 / 14TH SRAVANA, 1946

WP(C) NO. 27778 OF 2024

PETITIONER:

VINCY PETER
AGED 54 YEARS
W/O. SHAJI MATHEW, RESIDING AT CHIRAYIL HOUSE,
PURAKKATTU P.O, ALAPPUZHA, PIN - 688561

BY ADVS.
SHYSON P.MANGUZHA
AUGUSTUS S. MANGUZHA
PAUL S. MANGUZHA

RESPONDENTS:

1 **UZHAVOOR GRAMA PANCHAYTH**
RESPERSENTED BY ITS SECRETARY,
UZHAVOOR P.O, KOTTAYAM,, PIN - 686634

2 **THE SECRETARY**
UZHAVOOR GRAMA PANCHAYTH,
UZHAVOOR P.O, KOTTAYAM, PIN - 686634

BY ADV SUNIL CYRIAC

OTHER PRESENT:

SRI.SUNIL CYRIAC, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05.08.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

MOHAMMED NIAS C.P., J.

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W.P(C) No. 27778 of 2024

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Dated this the 5th day of August, 2024

J U D G M E N T

The petitioner challenges Ext.P2 show cause notice issued on the allegations that on account of running a hotel of the petitioner, water in the well of the complainant's property is contaminated. The petitioner submits that there was no hearing, and a copy of the alleged complaint was not served. She has given Ext.P3 objections as against Ext.P2.

2. Accordingly, there will be a direction to the 2nd respondent to consider the objections preferred by the petitioner and to pass orders on the same within a period of two weeks from the date of receipt of a copy of the judgment. It shall be done with notice to the petitioner and also to the person who made the complaint which led to the passing of Ext.P2 order. Since the petitioner is stated to be running a business, the petitioner will be allowed to function till the orders are passed by the Panchayat as directed above. The petitioner will however ensure that no contamination is caused to the complainant's well water.

The writ petition is disposed of as above.

Sd/-

MOHAMMED NIAS C.P.
JUDGE

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APPENDIX OF WP(C) 27778/2024

PETITIONER EXHIBITS :

EXHIBIT-P1	**THE TRUE COPY OF LICENSE BEARING NO. JC3-2280/209/2024-25 DATED 20-06-2024, ISSUED BY THE RESPONDENTS TO THE PETITIONER**
EXHIBIT-P2	**THE TRUE COPY OF THE STOP MEMO DATED 30-07-2024 ISSUED BY THE RESPONDENTS**
EXHIBIT-P3	**THE TRUE COPY OF THE COMPLAINT DATED 30-07-2024 FILED BY THE PETITIONER BEFORE THE RESPONDENTS**
EXHIBIT-P4	**THE TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT DATED 31-07-2024 ISSUED FROM THE 1ST RESPONDENT PANCHAYAT**

// True Copy // PA To Judge