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Sreenivasan Vs. State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1017842

Court : Kerala

Decided On : Jul-31-2013

Judge : Honourable Mr.Justice P.R.Ramachandra Menon

Appellant : Sreenivasan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON WEDNESDAY, THE 31ST DAY OF JULY 2013 9TH SRAVANA, 1935 WP(C).No. 19015 of 2013 (B) ---------- PETITIONER(S): ---------- SREENIVASAN, S/O. SUBRAMANIAN, MUCHIRIPARAMBIL HOUSE, MUNDOOR P.O.,THRISSUR. BY ADVS.SRI.DINESH MATHEW J.MURICKEN SRI.VISWANATHAN K. RESPONDENT(S): ---------- 1. STATE OF KERALA, REP.BY THE SECRETARY (REVENUE), SECRETARIAT, THIRUVANANTHAPURAM, PALAYAM P.O.,PIN-695 001.

2. THE DISTRICT COLLECTOR , COLLECTORATE, AYYANTHOLE P.O., THRISSUR-680 003.

3. ADDITIONAL TAHSILDAR, TALUK OFFICE, AYYANTHOLE P.O., THRISSUR-680 003.

4. THE GENERAL MANAGER DISTRICT INDUSTRIAL CENTRE, AYYANTHOLE P.O., THRISSUR-680 003. R1 TO R4 BY SR.GOVERNMENT PLEADER SRI.JOSEPH GEORGE THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31-07-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Kss WP(C).No. 19015 of 2013 (B) ---------- APPENDIX PETITIONER(S)' EXHIBITS: ---------- P1 : COPY OF THE NOTIFICATION ISSUED BY THE LAND ACQUISITION OFFICER UNDER SECTION 9 3) OF THE LAND ACQUISITION ACT, DTD.9.7.2007. P2 : COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT DTD.2.2.2011. P3 : COPY OF THE REPLYTO EXT.P2 SEND BY THE 4TH RESPONDENT TO THE PETITIONER DTD.30.3.2011. P4 : COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DTD.23.11.2010. P5 : COPY OF THE JUDGMENT PASSED BY THIS HON'BLE COURT IN WPC NO.27012/2011 DTD.13.10.2011. P6 : COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT. P7 : COPY OF THE APPLICATION FOR LICENCE FOR ERECTION OF WALL, FENCE, BUILDING SUBMITTED BY THE PETITIONER DTD.20.5.2012. P8 : COPY OF THE FORWARDING LETTER ISSUED BY THE 2ND RESPONDENT TO THE 3RD RESPONDENT DTD.1.6.2012. P9 : COPY OF THE JUDGMENT PASSED BY THIS HON'BLE COURT IN WPC NO.20910/2012 DTD.10.9.2012. P10: COPY OF THE LETTER SENT BY THE 3RD RESPONDENT TO THE 4TH RESPONDENT DTD.14.3.2013. P11: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DTD.31.5.2013. RESPONDENT(S)' EXHIBITS: ---------- N I L /TRUE COPY/ P.A.TO JUDGE Kss P.R. RAMACHANDRA MENON, J.

:: W.P.(C). No. 19015 of 2013 ..... Dated this the 31st day of July, 2013 JUDGMENT The petitioner has approached this Court with the following prayers: " i) Issue a writ of mandamus or any other appropriate writ order or direction to direct the respondents to allow the petitioner use the puraboke land as way for ingress and egress to his property in Sy.No.336/6 and 192/11 of Aanjoor Village,

Thrissur Taluk. ii) Issue writ of mandamus or other appropriate writ or direction to direct the 2nd respondent to dispose of Ext.P11 representation as early as possible." 2. When the matter is taken up for consideration, the learned counsel for the petitioner submits that the grievance of the petitioner has also been projected by way of Ext.P11 representation, which is pending consideration before the 2nd respondent and that the petitioner will be satisfied if a direction is given to the said respondent to consider and dispose of the same within a reasonable time. W.P.C. No. 19015 of 2013 -2- 3. Heard the learned Government Pleader appearing for the respondents.

4. Considering the limited nature of relief sought for, this Court does not find it necessary to go into the merits of the case. In the said circumstance, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P11 in accordance with law, after giving an opportunity of hearing to the petitioner at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent for further steps P.R. RAMACHANDRA MENON, JUDGE. kp/-

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