

Sidhique Vs. the State of Kerala

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Court : Kerala

Decided On : Nov-07-2013

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

Appellant : Sidhique

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON THURSDAY, THE 7TH DAY OF NOVEMBER 2013 16TH KARTHIKA, 1935 WP(C).No. 26798 of 2013 (Y) ----- PETITIONER: ----- SIDHIQUE, AGED 45 S/O.KUNNATHUVALAPIL AHAMMU, PUNNAYUR VILLAGE, CHAVAKKAD TALUK. BY ADV. SRI.G.SREEKUMAR (CHELUR). RESPONDENTS: ----- 1. THE STATE OF KERALA, REP. BY THE SECRETARY TO THE GOVERNMENT, REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

2. THE DISTRICT COLLECTOR, COLLECTORATE, AYYANTHOLE, THRISSUR - 680 001.

3. THE TAHSILDAR, CHAVAKKAD TALUK OFFICE, THRISSUR - 680 001.

4. THE VILLAGE OFFICER, MANATHALA VILLAGE OFFICE, THRISSUR DISTRICT- 680 001. BY GOVERNMENT PLEADER SMT. K.T. LILLY. THIS WRIT

PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON0711-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Prv. W.P.(C).NO.26798/2013-Y: APPENDIX PETITIONER'S EXHIBITS: EXT.P1: A TRUE COPY OF THE DOCUMENT BEARING NO.914/95 DATED184/95 OF THE CHAVAKAD S.R.O. EXT.P2: A TRUE COPY OF THE DOCUMENT BEARING NO.1718/93 DATED178/93 OF THE CHAVAKAD S.R.O. EXT.P3: A TRUE COPY OF THE REPORT PUBLISHED IN THE MADHYAMAM DAILY DATED2310/2013. EXT.P4: A TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT DATED2610/2013. EXT.P5: A TRUE COPY OF THE RECEIPT OF THE SECOND RESPONDENT DATED2810/2013. RESPONDENTS' EXHIBITS: NIL. //TRUE COPY// P.A. TO JUDGE. Prv. P.R. RAMACHANDRA MENON, J.

===== W.P.(C). No. 26798 of 2013
----- Dated this the 7th day of November, 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 commanding the respondents not to close the access to the property of the petitioner from the property of the mini civil station situated at Chavakkad in the interest of justice. ii. Issue a writ of mandamus or any other appropriate writ order or direction commanding the 2nd respondent to consider Ext.P4 and to decide the same in accordance to law by providing an opportunity of being heard to the petitioner and till such time the respondents are required to be interdicted from taking further coercive action intending to close the access of the petitioner in the interest of justice." 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.P4 which is pending consideration before the second 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. 26798 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 second respondent to consider and pass appropriate orders on Ext.P4 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 second respondent for further steps. P.R. RAMACHANDRA MENON, JUDGE. kp/-

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