

infant Jesus Church, Kidangoor Vs. the Village Officer, Thuravoor

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Court : Kerala

Decided On : Dec-05-2013

Judge : Honourable Mr.Justice K.Surendra Mohan

Appellant : infant Jesus Church, Kidangoor

Respondent : The Village Officer, Thuravoor

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN THURSDAY, THE 5TH DAY OF DECEMBER 2013 14TH AGRAHAYANA, 1935 WP(C).No. 29976 of 2013 (V)

----- PETITIONER(S): ----- INFANT JESUS CHURCH KIDANGOOR-683 572, ANGAMALY, REP. BY ITS VICAR FR.JOSHY VEZHAPPARAMBIL. BY ADVS.SRI.ISSAC M.PERUMPILLIL SRI.JIJO PAUL KALLOOKKARAN RESPONDENT(S): ----- 1. THE VILLAGE OFFICER THURAVOOR VILLAGE, ANGAMALY-683 572.

2. THE AGRICULTURAL OFFICER KRISHI BHAVAN, THURAVOOR-683 572.

3. THE SECRETARY THURAVOOR GRAMA PANCHAYAT, THURAVOOR-683 586.

4. THE LOCAL LEVEL MONITORING COMMITTEE THURAVOOR GRAMA PANCHAYAT REP. BY THE AGRICULTURAL OFFICER, KRISHI BHAVAN THURAVOOR-683 572.

5. THE DEPUTY DIRECTOR OFFICE OF THE DEPUTY DIRECTOR OF PANCHAYATS KAKKANAD.P.O., ERNAKULAM-682 030. R1, R2 & R5 BY GOVT. PLEADER SRI. RINNY STEPEHEN CHAMAPARAMBIL THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 0512-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 29976 of 2013 (V) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- EXT.P1- THE TRUE COPY OF THE APPLICATION FOR BUILDING PERMIT, SUBMITTED BY THE PETITIONER BEFORE THE 3D RESPONDENT, DATED 14.01.2013. EXT.P2: THE TRUE COPY OF TAX-PAID-RECEIPT ISSUED BY THE 1ST RESPONDENT, DATED 06.09.2012. EXT.P3: THE TRUE COPY OF REPORT OF THE 1ST RESPONDENT, DATED 12.02.2013. EXT.P4: THE TRUE COPY OF THE REPORT OF THE 3D RESPONDENT, DATED NIL. EXT.P5: THE TRUE COPY OF THE LETTER OF THE 5H RESPONDENT ADDRESSED TO THE 3D RESPONDENT, DATED 02.09.2013. EXT.P6: THE TRUE COPY OF THE MINUTES OF THE LOCAL LEVEL MONITORING COMMITTEE, DATED 03.04.2013. EXT.P7- THE TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2D RESPONDENT, DATED 06.09.2012. RESPONDENT(S)' EXHIBITS ----- /TRUE COPY/ P.S TO JUDGE K.SURENDRA MOHAN,J.

----- W. P (C) No.29976 of 2013 ----- Dated this the 5th December, 2013

## **JUDGMENT**

The petitioner has submitted an application for the issue of a building permit, Ext.P1 before the 3rd respondent. Ext.P1 is dated 14.1.2013. The petitioner complains that no orders have been passed thereon till date by the 3rd respondent. According to the counsel for the petitioner, the Village Officer has reported as per Ext.P3 dated 12.2.2013 that the property in question contains 110 rubber trees that were being tapped. The age of the rubber trees has been estimated at 20 years. The 3rd respondent, as per Ext.P4 has reported that the property was cultivated with rubber trees. The matter was considered by the Local Level Monitoring Committee also, as evidenced by Ext.P6 and recommended for

consideration. In spite of the above, according to the petitioner, no orders have been passed on Ext.P1. W. P (C) No.29976 of 2013 2 2. Having heard the contentions of the counsel for the petitioner, I am satisfied that this writ petition can be disposed of. The learned Government Pleader appears for respondents 1,2 and 5. In the nature of the relief that I propose to grant, it is not necessary to issue notice to the other respondents. This writ petition is therefore, disposed of directing the 3rd respondent to consider Ext.P1 application submitted by the petitioner, in accordance with law, and in the light of the reports referred to herein above, and to pass appropriate orders thereon, as expeditiously as possible, and at any rate, within a period of one month of the date of production of a copy of this judgment by the petitioner. Sd/- K.SURENDRA MOHAN JUDGE ma /True copy/ P.S to Judge W. P (C) No.29976 of 2013 3 W. P (C) No.29976 of 2013 4

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