

Kerala High Court

Sosamma Lawrence vs The District Collector on 4 March, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 32668 of 2009(C)

1. SOSAMMA LAWRENCE, AGED 60 YEARS,
... Petitioner

Vs

1. THE DISTRICT COLLECTOR, ALAPPUZHA.
... Respondent

2. THE REVENUE DIVISIONAL OFFICER,

3. THE VILLAGE OFFICER, PUNNAPRA.

4. THE TALUK SURVEYOR, AMBALAPPUZHA.

5. JOHN, AGED 50 YEARS, S/O.DAVID,

6. THE PUNNAPPRA GRAMA PANCHAYATH,

For Petitioner :SRI.S.SHANAVAS KHAN

For Respondent : No Appearance

The Hon'ble MR. Justice T.R.RAMACHANDRAN NAIR

Dated :04/03/2010

O R D E R

T.R. RAMACHANDRAN NAIR, J.

W.P.(C) No.32668 OF 2009

Dated this the 4th day of March, 2010.

J U D G M E N T

The petitioner is the resident of Punnapra village in Alappuzha District. The 5th respondent is residing on the southern side of the petitioner's property. According to the petitioner, the 5th respondent has encroached Government owned land, which is lying as a pathway, having an extent of 50 metre length and 3 metre width thereby making it impossible for the petitioner and her family members to have access to their house from the road.

2. Exhibit P1 is the complaint filed by the petitioner before the 2nd respondent. The same was forwarded by the 2nd respondent to the 3rd respondent for taking appropriate action in the matter and the 3rd respondent submitted a report also which is produced as Exhibit P2. Thereafter, the 4th respondent conducted an inspection. A further report was submitted in the matter by the 3rd respondent as per Exhibit P3 and later the 4th respondent also submitted a report as per Exhibit P4. Finally, the petitioner has filed Exhibits P5 and P6 representations before the 1st respondent seeking for removal of the encroachment. The contesting respondents have not filed any counter affidavit in the matter.

There will be a direction to the 1st respondent to consider and pass orders on Exhibits P5 and P6, after hearing the petitioner and the respondents 5 and 6 and after conducting due enquiry, within a period of two months.

This writ petition is disposed of as above.

T.R. RAMACHANDRAN NAIR JUDGE smp