

Kerala High Court

Smt.Nirmala Rajan vs Nattakam Grama Panchayath on 11 August, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 24582 of 2010(W)

1. SMT.NIRMALA RAJAN, W/O.RAJAN VARGHESE,
... Petitioner

Vs

1. NATTAKAM GRAMA PANCHAYATH,
... Respondent

For Petitioner :SRI.TOM K.THOMAS

For Respondent :SRI.C.S.SUNIL

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

Dated :11/08/2010

O R D E R

T.R.RAMACHANDRAN NAIR, J.

W.P.(C)No.24582 of 2010

DATED THIS THE 11th DAY OF AUGUST, 2010

JUDGMENT

This Writ Petition is filed by the petitioner challenging Exhibit P2 communication issued by the Panchayat directing to stop the construction and demolish illegal constructions.

2. The petitioner is the Director of an Educational Society. The Society constructed a building for starting an Engineering College. It appears that there was a complaint before the learned Ombudsman for Local Self Government Institutions, wherein Exhibit P1 order was passed. Therein the Panchayat was directed to verify whether any illegal construction has been found and if so issue notice to the counter petitioner therein, who is the husband of the petitioner herein and after considering the reply the final orders have been passed.

3. Evidently, Exhibit P2 has been passed, according to the petitioner, without issuing notice to the petitioner and without conducting a hearing also.

4. The learned counsel for the Panchayat submitted that the Panchayat is prepared to reconsider the matter after considering the objections of the petitioner also.

5. Therefore, Exhibit P2 will be treated as a notice. The petitioner will file objections within a period of two weeks and thereafter the petitioner or her representative as well as the complainant before the learned Ombudsman will be heard by the respondent and appropriate final orders shall be passed as expeditiously as possible.

The Writ Petition is disposed of as above.

T.R.RAMACHANDRAN NAIR, JUDGE.

dsn