

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

TUESDAY, THE 15TH DAY OF MAY, 2020/25TH VAISAKHA, 1942

W.P(C) NO.9657 OF 2020

PETITIONER :

GOPALAKRISHNAN, AGED 53,
S/O RAJAPPAN ACHARI,
ROHINI HOUSE, NEAR GOVERNMENT HOSPITAL
VAIKOM, KOTTAYAM DISTRICT,
PIN : 686 141

BY ADVS. K.M.SATHYANATHA MENON
KAVERY S.THAMPI

RESPONDENTS :

1. THE VAIKOM, MUNICIPALITY REPRESENTED BY ITS SECRETARY,
VAIKOM, KOTTAYAM DISTRICT, PIN:686 141.
2. THE SECRETARY, VAIKOM, MUNICIPALITY,
VAIKOM, KOTTAYAM DISTRICT, PIN : 686 141
3. THE MUNICIPAL COUNCIL, VAIKOM, MUNICIPALITY,
VAIKOM, KOTTAYAM DISTRICT, PIN:686 141,
REPRESENTED BY ITS CHAIRMAN.
4. THE REVENUE DIVISIONAL OFFICER, PALA
KOTTAYAM DISTRICT. PIN: 686 576.
5. MADHAVA KAMMATH, S/O GOPALAKAMMATH,
VISHNU VIHAR HOUSE, NEAR GOVERNMENT HOSPITAL,
VAIKOM, KOTTAYAM DISTRICT, PIN : 686 141.

R1 TO R3 BY

R4 BY GOVERNMENT PLEADER SMT.VINITHA.B

R5 BY

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 15.05.2020,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING :

Dated this the 15th day of May, 2020

ORDER

The counsel for the 5th respondent submits that he has filed a counter affidavit in the matter, which is marked as defective. He also states he has filed a writ petition (yet to be numbered) challenging the order which is sought to be implemented in this writ petition. In view of the above, call this matter on 19.5.2020.

GOPINATH.P, JUDGE

pm

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : TRUE COPY OF THE TAX RECEIPT DATED 7.11.2019 ISSUED BY THE VILLAGE OFFICER, VAIKOM FOR PETITIONER'S PROPERTY.
- EXT.P2 : TRUE COPY OF THE JUDGMENT DATED 27.11.2014 IN O.S NO: 27/2013 ON THE FILES OF THE MUNSIF COURT, VAIKOM.
- EXT.P3 : COPY OF THE EXT C1(A) SKETCH ATTACHED TO THE COMMISSION REPORT SUBMITTED IN O.S NO: 27/2013 OF MUNSIF COURT VAIKOM DATED 16.6.2014
- EXT.P4 : PHOTOGRAPH OF THE WELL IN THE PROPERTY OF PETITIONER.
- EXT.P5 : TRUE COPY OF THE COMPLAINT DATED 13.6.2019 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT.P6 : TRUE COPY OF THE NOTICE NO: H1-DATED 5.7.2019, ISSUED BY THE HEALTH INSPECTOR, VAIKOM MUNICIPALITY TO THE 5TH RESPONDENT.
- EXT.P7 : TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT DATED 14.10.2019
- EXT.P8 : TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 14.10.2019.
- EXT.P9 : TRUE COPY OF THE COMMUNICATION ISSUED BY THE 2ND RESPONDENT TO THE STANDING COUNSEL OF THE MUNICIPALITY DATED 30.10.2019, WHICH WAS ISSUED TO THE PETITIONER UNDER THE RIGHT TO INFORMATION ACT.
- EXT.P10 : TRUE COPY OF THE REPORT DATED 27.8.2019 PREPARED AND SUBMITTED BY THE VILLAGE OFFICER, VAIKOM TO THE

TAHASILDAR, VAIKOM

EXT.P11 : TRUE COPY OF THE REPORT DATED 29.08.2019 ALONG WITH
THE SKETCH SUBMITTED BY THE TAHASILDAR, VAIKOM TO THE 4TH
RESPONDENT.

EXT.P12 : TRUE COPY OF THE REPRESENTATION DATED 27.4.2020
SUBMITTED BY THE PETITIONER BEFORE THE 2ND
RESPONDENT.

EXT.P13 : PHOTOGRAPH OF PETITIONER'S PROPERTY

RESPONDENTS' EXHIBITS : NIL