

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 05TH DAY OF MAY, 2020/15TH VAISAKHA, 1942

W.P(C) TMP NO.276 OF 2020

PETITIONER :-

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

BY ADV: -SRI. K.M.SATHYANATHA MENON

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.

R4 BY. GOVERNMENT PLEADER SRI. K.P. HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ORDERS ON
05.05.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BECHU KURIAN THOMAS, J

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WP(C) TMP NO. 276 OF 2020

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DATED THIS THE 5th DAY OF May, 2020

ORDER

Standing counsel, Vaikom Municipality takes notice on behalf of respondents 1 to 3. Government Pleader takes notice on behalf of the 4th respondent. Notice by email to the 5th respondent. Post on 12.05.2020. In the meantime, standing counsel shall get instructions as to what emergent action has been taken till date on the allegations made in the writ petition.

BECHU KURIAN THOMAS
JUDGE

Nsd

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: TRUE COPY OF THE TAX RECEIPT DATED 7.11.2019 ISSUED BY THE VILLAGE OFFICER, VAIKOM FOR PETITIONER'S PROPERTY.

EXHIBIT P2: TRUE COPY OF THE JUDGMENT DATED 27.11.2014 IN O.S NO: 27/2013 ON THE FILES OF THE MUNSIF COURT, VAIKOM.

EXHIBIT 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

EXHIBIT P4: PHOTOGRAPH OF THE WELL IN THE PROPERTY OF PETITIONER.

EXHIBIT P5: TRUE COPY OF THE COMPLAINT DATED 13.6.2019 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P6: TRUE COPY OF THE NOTICE NO: H1-DATED 5.7.2019, ISSUED BY THE HEALTH INSPECTOR, VAIKOM MUNICIPALITY TO THE 5TH RESPONDENT.

EXHIBIT P7: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT DATED 14.10.2019

EXHIBIT P8: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 14.10.2019.

EXHIBIT 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.

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EXHIBIT P10:TRUE COPY OF THE REPORT DATED 27.8.2019 PREPARED AND SUBMITTED BY THE VILLAGE OFFICER, VAIKOM TO THE TAHASILDAR, VAIKOM

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

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

EXHIBIT P13: PHOTOGRAPH OF PETITIONER'S PROPERTY