
(2010) 04 KL CK 0048

In the High Court Of Kerala

Case No : Writ Petition (C) . No. 11532 of 2010 (N)

Natarajan

APPELLANT

Vs

The Secretary

RESPONDENT

Date of Decision : 05-04-2010

Acts Referred:

Citation : (2010) 04 KL CK 0048

Hon'ble Judges : Antony Dominic, J

Bench : Single Bench

Advocate : Sasthamangalam S. Ajithkumar, for the Appellant; No Appearance, for the Respondent

Judgement

Antony Dominic, J.—The petitioner seeks to challenge Ext.P3 order.

2. According to the petitioner, he has been granted kuthakapattam lease in respect of 1.32 cents of land in survey No. 459/7 of Mezhuveli Village. It is stated that in the leased property, he has constructed a building and is conducting a textile shop. While so, he was issued Ext.P2 notice stating that the lease was originally granted in favour of his father, and that despite the expiry of his father, the petitioner did not surrender the property. On this basis, he was directed to demolish the building and surrender the land. According to the petitioner, he submitted his reply to Ext.P2. It is stated that after receiving the reply to Ext.P2, the Panchayat issued Ext.P3 order rejecting the explanation offered by the petitioner and directing him to demolish the building and return possession of the land. It is on receipt of Ext.P3 order that this writ petition has been filed challenging the said order.

3. As already noticed, Ext.P3 is an order issued by the Secretary of the Panchayat. Therefore, it is open to the petitioner to seek appellate remedy against the said order. In view of the above, I do not think it necessary that this Court should entertain the challenge against Ext.P3.

4. Therefore, this writ petition is disposed of with the following directions:

(1) That it will be open to the petitioner to seek his appellate remedies against Ext.P3.

(2) In order to enable the petitioner to move the appellate authority and seek appropriate protective orders in the matter, it is directed that implementation of Ext.P3 will be kept in abeyance for a period of four weeks from today.

The petitioner shall produce a copy of this judgment before the respondent for compliance.

This writ petition is disposed of as above.