
(2021) 07 KL CK 0180
In the High Court Of Kerala
Case No : Writ Petition (C) No. 14041 Of 2021

P.P. Ummerkutty	Vs	APPELLANT
Kannur Corporation Rep. By Its Secretary, Kannur 670001		RESPONDENT

Date of Decision : 14-07-2021

Acts Referred:

Indian Penal Code, 1860 — Section 395, 406, 408

Citation : (2021) 07 KL CK 0180

Hon'ble Judges : Sathish Ninan, J

Bench : Single Bench

Advocate : K.R.Vinod, M.S.Letha, K.S.Sreerekha, Meena John

Final Decision : Disposed Of

Judgement

Sathish Ninan, J

1. The petitioner has approached this Court aggrieved by Exts.P3 and P4 notice and provisional order issued under Sections 406, 408 and 395 of the Kerala Municipality Act, for demolition of alleged illegal constructions. According to the petitioner, with respect to the very same construction, he was earlier issued with similar notices. Challenging the same, he approached the Tribunal by filing Appeal No.650/17. In the appeal, the Tribunal passed Ext.P2 order of stay. The order is still in force. It is pending the same that Exts.P3 and P4 have been issued, contends the petitioner.
2. Heard learned counsel for the petitioner and Smt.Meena John, learned Standing Counsel for the respondents.
3. As against Exts.P3 and P4, petitioner has submitted Ext.P5 reply before the second respondent. In Ext.P5, petitioner has made reference to Ext.P2 interim order relied on by him. It is for the petitioner to appraise the second respondent with regard to Ext.P2 order.

The writ petition is disposed of directing the second respondent to consider Ext.P5 objections with due reference to Ext.P2 stay order, ascertain whether it relates to the same subject matter, and pass orders accordingly. No further directions are called for.