

(2022) 08 KL CK 0237

In the High Court Of Kerala

Case No : Writ Petition (C) No. 16312 Of 2016

**Ramla Nilambur Municipality Represented By Its Secretary, Nilambur
P.O., 679329, Malappuram District**

Date of Decision : 24-08-2022

Acts Referred:

Citation : (2022) 08 KL CK 0237

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : P.Samsudin, Jithin Lukose, George Sebastian

Final Decision : Disposed Of

Judgement

P.V.Kunhikrishnan, J

1. This writ petition is filed with following prayers:

- i. A writ of certiorari or any other appropriate writ order or direction calling for the records leading to Exhibit P7 and quash the same.
- ii. A writ of mandamus or any other appropriate writ order or direction directing the 2nd respondent to reconsider the application for regularization of the building constructed by the petitioner and pass orders in accordance with law.
- iii. Such other reliefs as this Hon'ble Court deems fit to grant in the nature of this case.

(SIC)

2. After arguing for sometime, the counsel for the petitioner submitted that he may be allowed to challenge Ext.P7 order by filing an appeal before the Council of the Municipality.

Therefore, this writ petition is disposed of in the following manner:

1. The petitioner is free to file an appeal against Ext.P7 before the Council of the 1st respondent Municipality, within three weeks from the date of receipt of a

copy of this judgment.

2. Once such an appeal is received, the 1st respondent will consider the same and pass appropriate orders in accordance to law, after giving an opportunity of hearing to the petitioner.

3. If the appeal is filed as directed above, the Council of the Municipality shall not reject the same on the ground of delay in filing the same because this writ petition was pending before this Court from 2016 onwards.

4. The petitioner shall pay the arrears of property tax also before the Municipality.