

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE S.SIRI JAGAN

FRIDAY, THE 30TH DAY OF MARCH 2012/10TH CHAITHRA 1934

WP(C).No. 8180 of 2012 (V)

PETITIONER:

**M.O.JOSEKUMAR, AGED 52 YEARS,
S/O.OUSEPH, MANAGING PARTNER,
CENTRAL WOOD COMPLEX,
PERUMBA, PAYYANNUR.**

**BY ADVS.SRI.GEORGE MATHEWS
SMT.CELINE JOSEPH**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
THIRUVANANTHAPURAM-695 001.**
- 2. REVENUE DIVISIONAL OFFICER,
THALASSERY-670101.**
- 3. INSPECTOR OF FACTORIES AND BOILERS,
GRADE-II, TALIPARAMBA- 670 141.**
- 4. KUNHIRAMAN,
S/O.VADAKKE KOVVAL RAMAN @ KUNHIRAMAN,
KUNHIMANGALAM AMSOM, EDANAD DESOM, PIN 670 141.**

BY SRI.K.C.VINCENT, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-03-2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AS

APPENDIX

PETITIONER(S) EXHIBITS:

- EXHIBIT-P1: COPY OF THE ORDER DATED 19.6.1998 IN M.P.NO.16/98 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT-P2: COPY OF THE NOTICE NO.1290/2011 DATED 03.12.2011 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT-P3: COPY OF THE LETTER DATED 23.12.2011 SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT.
- EXHIBIT-P4: COPY OF THE LETTER NO.A.1290/2011 DATED 20.01.2012 ISSUED BY 3RD RESPONDENT TO THE PETITIONER.
- EXHIBIT-P5: COPY OF THE PETITION DATED 05.3.2012 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXHIBIT-P6(a,b,c): ORIGINAL PHOTOGRAPHS OF THE DANGEROUS CONDITION OF THE BUILDING AND THE TREES.

RESPONDENTS' EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

AS

S.SIRI JAGAN, J.

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W.P.(C).No. 8180 of 2012

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Dated this the 30th day of March, 2012

J U D G M E N T

The petitioner is the managing partner of a firm running a factory. According to the petitioner, over the factory building, a coconut tree belonging to the adjacent property owner, viz., the 4th respondent, is slanting, as a result of which, there is severe threat to the factory building and the workers working therein. Despite the petitioner's efforts to get the nuisance removed, the 4th respondent is not co-operating. In the above circumstances, the petitioner has filed Ext.P5 petition before the 2nd respondent. The petitioner seeks expeditious disposal of the same.

Having heard the learned Government Pleader also, I dispose of this writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P5, after affording an opportunity of being heard to the petitioner as well as the 4th respondent, as expeditiously as possible, at any rate, within one month from the date of receipt of a certified copy of this judgment.

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Sd/-
S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge

