

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN**

**WEDNESDAY, THE 31<sup>ST</sup> DAY OF JANUARY 2024 / 11TH MAGHA, 1945**

**WP(C) NO. 6528 OF 2013**

**PETITIONER:**

THE LITTLE FLOWER CHURCH  
POOCHINNIPADAM, P.O ORRAKOM, THRISSUR DISTRICT,  
680 562, REPRESENTED BY ITS VICAR,  
FR. GEORGE CHERVATHUR, SON OF LATE THOMAS C.C  
DULY AUTHORISED AND EMPOWERED TO REPRESENT THE  
LITTLE FLOWER CHURCH.

BY ADVS.

SRI.R.S.KALKURA

SMT.R.BINDU

SRI.GENS GEORGE ELAVINAMANNIL

SRI.HARISH GOPINATH

SRI.M.S.KALESH

SMT.A.V.PRIYA

**RESPONDENTS:**

- 1 THE CHERPU GRAMA PANCHAYAT  
CHERPU, THRISSUR DISTRICT,  
REPRESENTED BY ITS SECRETARY, CHERPU 680 561.
- 2 THE SECRETARY  
THE CHERPU GRAMA PANCHAYATH, CHERPU,  
THRISSUR DISTRICT, CHERPU 680 561.
- 3 THE DISTRICT COLLECTOR  
COLLECTORATE, THRISSUR 680 003.  
BY ADVS.SRI.RAJ PRADEEP R, SC  
SRI.V.V.ASOKAN  
SRI.M.B.PRAJITH  
SRI.P.RAHUL  
SRI.RIYAL DEVASSY, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31.01.2024, ALONG WITH WP(C).7035/2013 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN**

**WEDNESDAY, THE 31<sup>ST</sup> DAY OF JANUARY 2024 / 11TH MAGHA, 1945**

**WP(C) NO. 7035 OF 2013**

**PETITIONER:**

SUDHEESH  
AGED 41 YEARS  
S/O. O.GOPINATHAN, APPOZHATH HOUSE,  
VALLACHIRA P.O., THRISSUR DISTRICT.  
BY ADV SRI.M.B.PRAJITH

**RESPONDENTS:**

- 1 THE CHERPU GRAMA PANCHAYATH  
CHERPU P.O., THRISSUR DISTRICT, PIN-680 561,  
REPRESENTED BY ITS SECRETARY.
- 2 THE SECRETARY  
CHERPU GRAMA PANCHAYATH, CHERPU P.O.,  
THRISSUR DISTRICT-680 561.
- 3 THE VICAR  
LITTLE FLOWER CHURCH, POOCHUNNI PADAM,  
URAKAM P.O., THRISSUR DISTRICT-680 562.
- 4 THE DISTRICT COLLECTOR  
THRISSUR-680 001.  
BY ADVS.SRI.RAJ PRADEEP, SC  
SRI.B.S.SYAMANTAK, GP  
SRI.HARISH GOPINATH  
SRI.R.S.KALKURA  
SRI.M.S.KALESH  
SMT.A.V.PRIYA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31.01.2024, ALONG WITH WP(C).6528/2013 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN**

**WEDNESDAY, THE 31<sup>ST</sup> DAY OF JANUARY 2024 / 11TH MAGHA, 1945**

**WP(C) NO. 22861 OF 2013**

**PETITIONERS:**

- 1 V.GOPALAN  
S/O.KOCHUKUTTY AMMA, VAZHAPPILLY HOUSE,  
OORAKAM - 680 562.
- 2 ANI JOHN  
MADATHUMKUDI HOUSE, RAYMOND ROAD, 'DAZZLE  
HOMES', VALLACHIRA P.O. - 680 562,  
THRISSUR TALUK.  
BY ADVS.SRI.ABRAHAM THOMAS PUTHURAN

**RESPONDENTS:**

- 1 THE STATE OF KERALA  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,  
LOCAL SELF GOVERNMENT DEPARTMENT,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.
- 2 THE DISTRICT COLLECTOR  
THRISSUR - 680 301.
- 3 THE CHERPU GRAMA PANCHAYAT (SPECIAL GRADE)  
CHERPU, THRISSUR DISTRICT - 680 561,  
REPRESENTED BY ITS SECRETARY.
- 4 THE LITTLE FLOWER CHURCH  
POOCHINNIPADAM, P.O.OORAKAM,  
THRISSUR DISTRICT - 680 562,  
REPRESENTED BY ITS VICAR FR.GEORGE CHERUVATHUR.  
BY ADVS. SRI.RAJ PRADEEP, SC  
SRI.B.S.SYAMANTAK, GP  
SRI.R.S.KALKURA  
SRI.V.V.ASOKAN  
SRI.P.P.RAMACHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31.01.2024, ALONG WITH WP(C).6528/2013 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN**

**WEDNESDAY, THE 31<sup>ST</sup> DAY OF JANUARY 2024 / 11TH MAGHA, 1945**

**WP(C) NO. 22909 OF 2013**

**PETITIONER:**

THE LITTLE FLOWER BRANCH  
POOCHINNIPADAM P O, OORAKAM,  
THRISSUR DISTRICT-680562,  
REP BY ITS VICAR, FR GEORGE CHERUVATHUR,  
S/O.LATE THOMAS C C, AGED 49, DULY AUTHORISED  
AND EMPOWERED TO REPRESENT THE LITTLE FLOWER  
CHURCH

BY ADVS.SRI.R.S.KALKURA  
SMT.R.BINDU  
SRI.HARISH GOPINATH  
SRI.M.S.KALESH  
SMT.A.V.PRIYA

**RESPONDENTS:**

- 1 THE CHERPU GRAMA PANCHAYAT  
CHERPU, THRISSUR DIST,  
REP BY ITS SECRETARY, CHERPU-680561
- 2 THE SECRETARY, CHERPU GRAMA PANCHAYATH,  
CHERPU, THRISSUR DIST, CHERPU-680561
- 3 TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS  
REP BY ITS SECRETARY, DISTRICT COURT CAMPUS,  
THIRUVANANTHAPURAM-695035
- 4 HARIPRASAD  
S/O.RAJENDRAN, PUSHPANJALI,  
WARD NO 7, CHERPU-680562  
BY ADVS.SRI.V.V.ASOKAN  
SRI.M.B.PRAJITH  
SRI.P.P.RAMACHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31.01.2024, ALONG WITH WP(C).6528/2013 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**P.V.KUNHIKRISHNAN, J.**

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**W.P.(C).Nos.6528, 7035, 22861 & 22909 of 2023**

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**Dated this the 31<sup>st</sup> day of January, 2024**

**JUDGMENT**

When these writ petitions came up for consideration, the counsel for the petitioner in W.P.(C). No.6528/2013 submitted that the construction of Kapella is regularized by the Panchayat and the dispute is settled between the parties.

If that be the case, nothing survives in these writ petitions. These writ petitions are closed.

JV

sd/-  
**P.V.KUNHIKRISHNAN**  
**JUDGE**

**APPENDIX OF WP(C) 6528/2013**

EXHIBIT P1- THE PROPERTY TAX RECEIPT BEARING NO.1800581 DATED 7.5.2012 IN RESPECT OF THE PROPERTY OWNED AND POSSESSED BY THE LITTLE FLOWER CHURCH ISSUED BY THE VILLAGE OFFICER, OORAKAM

EXHIBIT P2- TRUE COPY OF THE ORDER DATED 28.1.2009 ISSUED BY THE ARCHBISHOP OF THRISSUR EMPOWERING AND AUTHORISING THE VICAR OF THE LITTLE FLOWER CHURCH TO ADMINISTER AND MANAGE THE PROPERTIES OF THE CHURCH

EXHIBIT P3- A TRUE COPY OF THE PLAN SUBMITTED BY THE PETITIONER, BEFORE THE FIRST RESPONDENT-PANCHAYAT

EXHIBIT P4- THE ACKNOWLEDGMENT ISSUED BY THE FIRST RESPONDENT EVIDENCING THE RECEIPT OF THE PLAN, DATED 08-11-2011

EXHIBIT P5- A TRUE COPY OF THE PERMIT GRANTED BY THE FIRST RESPONDENT FOR THE CONSTRUCTION OF THE BUILDING OF THE PETITIONER, DATED 09-12-2011

EXHIBIT P6- A TRUE COPY OF THE RECEIPT ISSUED BY THE FIRST RESPONDENT, DATED 30-11-2011

EXHIBIT P7- A TRUE COPY OF THE RECEIPT DATED 14-12-2012 ISSUED BY THE PANCHAYAT ACKNOWLEDGING THE RECEIPT OF THE APPLICATION

EXHIBIT P8- A TRUE COPY OF THE REVISED PLAN DATED 13-02-2013

EXHIBIT P9- A TRUE COPY OF THE LETTER DATED 23-11-2012, ISSUED TO THE PETITIONER

EXHIBIT P10- A TRUE COPY OF THE RESOLUTION NO. 3, DATED 19-02-2013 OF THE PANCHAYAT COMMITTEE OF THE FIRST RESPONDENT

EXHIBIT P11- A TRUE COPY OF THE APPLICATION SUBMITTED

WP(C).Nos.6528, 7035, 22861 & 22909 of 2023

**7**

BY THE PETITIONER BEFORE THE SECRETARY OF THE FIRST  
RESPONDENT, DATED 06- 03-2013

EXHIBIT P12-THE PHOTOGRAPHS INDICATING THE  
CONSTRUCTION CARRIED OUT BY THE PETITIONER

RESPONDENT'S EXHIBITS

EXHIBIT R2(A) - COPY OF THE LETTER GIVEN BY THE 2ND  
RESPONDENT TO THE DISTRICT COLLECTOR, THRISSUR.

**APPENDIX OF WP(C) 7035/2013**

**PETITIONER EXHIBITS**

EXHIBIT P1 : COPY OF THE APPLICATION  
FILED BY THE 3RD RESPONDENT BEFORE THE  
2ND RESPONDENT.

EXHIBIT P2 : COPY OF THE BUILDING  
PERMIT ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P3 : COPY OF THE  
REPRESENTATION FILED BY THE  
PETITIONER.

EXHIBIT P4 : COPY OF THE LETTER  
DTD.25.2.2013 OF THE 2ND RESPONDENT  
INTIMATING ABOUT THE MEETING.

EXHIBIT P5 : COPY OF THE PHOTOGRAPH  
SHOWING THE CONSTRUCTION.

EXHIBIT P6 : COPY OF THE PROCEEDINGS  
OF THE MEETING HELD BY THE 2ND  
RESPONDENT.

**RESPONDENT'S EXHIBITS**

EXHIBIT R3(A)- THE PROPERTY TAX RECEIPT BEARING  
NO.1800581 DATED 7.5.2012 IN RESPECT OF THE PROPERTY  
OWNED AND POSSESSED BY THE LITTLE FLOWER CHURCH ISSUED BY  
THE VILLAGE OFFICER, OORAKAM

EXHIBIT R3(B)- TRUE COPY OF THE ORDER DATED 28.1.2009  
ISSUED BY THE ARCHBISHOP OF THRISSUR EMPOWERING AND  
AUTHORISING THE VICAR OF THE LITTLE FLOWER CHURCH TO  
ADMINISTER AND MANAGE THE PROPERTIES OF THE CHURCH

EXHIBIT R3(C)- TRUE COPY OF THE PLAN SUBMITTED BY THE  
THIRD RESPONDENT BEFORE THE SECOND RESPONDENT-PANCHAYAT,

EXHIBIT R3(D)- THE ACKNOWLEDGMENT ISSUED BY THE SECOND  
RESPONDENT EVIDENCING THE RECEIPT OF THE PLAN, DATED 08-  
11-2011 EXHIBIT R3(E)- TRUE COPY OF THE PERMIT GRANTED BY  
THE SECOND RESPONDENT FOR THE CONSTRUCTION OF THE  
BUILDING OF THE THIRD RESPONDENT, DATED 09-12-2011

EXHIBIT R3(F)- TRUE COPY OF THE RECEIPT ISSUED BY THE  
SECOND RESPONDENT, DATED 30-11-2011



EXHIBIT R3(G)- TRUE COPY OF THE RECEIPT DATED 14-12-2012  
ISSUED BY THE PANCHAYAT ACKNOWLEDGING THE RECEIPT OF THE  
APPLICATION

EXHIBIT R3(H)- TRUE COPY OF THE REVISED PLAN DATED 13-02-  
2013

EXHIBIT R3(I)- TRUE COPY OF THE LETTER DATED 23-11-2012,  
ISSUED TO THE THIRD RESPONDENT,

EXHIBIT R3(J)- TRUE COPY OF THE RESOLUTION NO. 3, DATED  
19-02-2013, OF THE PANCHAYAT COMMITTEE OF THE SECOND  
RESPONDENT

EXHIBIT R3(K)- TRUE COPY OF THE APPLICATION SUBMITTED BY  
THE THIRD RESPONDENT BEFORE THE SECRETARY OF THE SECOND  
RESPONDENT, DATED 06-03-2013,

**APPENDIX OF WP(C) 22861/2013**

PETITIONER EXHIBITS

EXHIBIT P1. TRUE COPY OF THE RENT AGREEMENT DATED 06.07.2013 BETWEEN THE 1ST PETITIONER AND THE 4TH RESPONDENT.

EXHIBIT P2. TRUE COPY OF THE LICENCE DATED 26.07.2013 ISSUED BY THE 3RD RESPONDENT TO THE 1ST PETITIONER.

EXHIBIT P3. TRUE COPY OF THE RENT AGREEMENT DATED 12.07.2013 BETWEEN THE 1ST PETITIONER AND THE 4TH RESPONDENT.

EXHIBIT P4. TRUE COPY OF THE LICENCE DATED 03.08.2013 ISSUED BY THE 3RD RESPONDENT TO THE 2ND PETITIONER.

EXHIBIT P5. TRUE COPY OF THE COMMUNICATION DATED 09.09.2013 ISSUED BY THE 4TH RESPONDENT TO PETITIONER NO.1.

EXHIBIT P6. TRUE COPY OF THE COMMUNICATION DATED 09.09.2013 ISSUED BY THE 4TH RESPONDENT TO PETITIONER NO.2.

EXHIBIT P7. TRUE COPY OF THE ORDER DATED 31.08.2013 PASSED BY THE COURT OF THE TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS, THIRUVANANTHAPURAM.

EXHIBIT P8. TRUE COPY OF THE STOP MEMO DATED 09.09.2013 ISSUED BY THE 3RD RESPONDENT.

**APPENDIX OF WP(C) 22909/2013**

PETITIONER EXHIBITS

P1:-TRUE COPY OF THE PROPERTY TAX RECEIPT BEARING NO 18000581 DTD 7/5/2012 IN RESPECT OF THE PROPERTY OWNED AND POSSESSED BY THE LITTLE FLOWER CHURCH ISSUED BY THE VILLAGE OFFICER, OORAKAM

P2:-TRUE COPY OF THE ORDER DTD 28/1/2009 ISSUED BY THE ARCHBISHOP OF THRISSUR EMPOWERING AND AUTHORISING THE VICAR OF THE LITTLE FLOWER CHURCH TO ADMINISTER AND MANAGE THE PROPERTIES OF THE CHURCH

P3:-A TRUE COPY OF THE PLAN SUBMITTED BY THE PETITIONER, BEFORE THE 1ST RESPONDENT-PANCHAYATH

P4:-TRUE COPY OF THE ACKNOWLEDGEMENT ISSUED BY THE 1ST RESPONDENT EVIDENCING THE RECEIPT OF THE PLAN, DTD 8/11/2011

P5:-A TRUE COPY OF THE PERMIT GRANTED BY THE 1ST RESPONDENT OF THE CONSTRUCTION OF THE BUILDING OF THE PETITIONER, DTD 9/12/2011

P6:-A TRUE COPY OF THE RECEIPT ISSUED BY THE 1ST RESPONDENT, DTD 30/11/2011

P7:-A TRUE COPY OF THE RECEIPT DTD 14/12/2012 ISSUED BY THE PANCHAYATH ACKNOWLEDGING THE RECEIPT OF THE APPLICATION

P8:-A TRUE COPY OF THE REVISED PLAN DTD 13/2/2013

P9:-A TRUE COPY OF THE LETTER DTD 23/11/2012 ISSUED TO THE PETITIONER

P10:-A TRUE COPY OF THE RESOLUTION NO 3 DTD 19/2/2013 OF THE PANCHAYATH COMMITTEE OF THE FIRST RESPONDENT

P11:-A TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE SECRETARY TO THE 1ST RESPONDENT ,

DTD 6/3/2013

P12:-TRUE COPY OF THE ORDER DTD  
5/4/2013 OF THIS HON'BLE COURT IN WPC  
NO 6528/2013

P13:-TRUE COPY OF THE ORDER DTD  
21/5/2013 OF THE DISTRICT COLLECTOR,  
P14(A) TO (R)-TRUE COPY OF THE  
PROPERTY TAX RECEIPTS(18 IN NUMBER)DTD  
2/7/2013,ISSUED BY THE IST RESPONDENT  
FOR THE ROOMS BEARING NO 6/4-A TO 6/4-  
R

P15:-TRUE COPY OF THE LETTER DTD  
25/8/2013, ISSUED BY THE CATHOLIC  
SYRIAN BANK , POOCHINIPADOM BRANCH,

P16:-TRUE COPY OF THE LEASE-AGREEMENT  
DTD 12/7/2013, ENTERED IN TO BETWEEN  
THE PETITIONER AND SMT ANNIE JOHN

P17:-TRUE COPY OF THE LEASE-AGREEMENT  
DTD 12/7/2013, ENTERED IN TO BETWEEN  
THE PETITIONER AND SURESH

P18:-TRUE COPY OF THE LEASE-AGREEMENT  
DTD 6/7/2013, ENTERED IN TO BETWEEN  
THE PETITIONER AND V GOPALAN

P19:-TRUE COPY OF THE LICENSE DTD  
26/7/2013 ISSUED BY THE IST RESPONDENT  
TO V GOPALAN

P20:-TRUE COPY OF THE LICENCE DTD  
3/8/2013 ISSUED BY THE IST RESPONDENT  
O SMT ANNIE JOHN

P21:-TRUE COPY OF THE ORDER OF THE 3RD  
RESPONDENT IN IA NO 1600/2013 APPEAL  
NO 817/2013

P22:-TRUE COPY OF THE NOTICE DTD  
9/9/2013, ISSUED BY THE 2ND RESPONDENT