



GOVERNMENT OF KERALA

Abstract

Local Self Government Department- Cherukavu Grama Panchayath- Judgment in W.P © No 12295/2012 filed by Sri. Ratnaraj Kunnath- Compliance of Court Direction- Orders issued

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LOCAL SELF GOVERNMENT (RB) DEPARTMENT

G.O (Rt) No 2536/2012/LSGD

Thiruvananthapuram , Dated 07/09/2012

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- Read :-
1. Government letter No. 12653/RB3/2012/LSGD dated 28/05/2012.
  2. Judgment dated 29/05/2012 in W.P © No, 12295/2012 filed by Sri Ratnaraj Kunnath.
  3. Letter No. A3/2582/09 dated 14/08/2012 from the Secretary, Cherukavu Grama Panchayath.

ORDER

1. In the judgment read as 2nd paper above, the Hon'ble High Court has directed the 1<sup>st</sup> respondent (Secretary to Government) to dispose the exhibit P4 if it is pending with Government within three months of production of copy of the Judgment.

2. The exhibit P4 is a representation put in by the petitioner dated 25/01/2012 before Government as directed by the Hon'ble Ombudsman. In the Exhibit P4, the petitioner has requested to regularize his unauthorized construction. But the request was not in proper as per then existing rule. Therefore Government had directed the petitioner to furnish fresh request to the panchayath vide letter read as 1<sup>st</sup> paper. As such the exhibit P4 is not pending with Government.

3. As per letter read as 3<sup>rd</sup> paper above the Secretary, Cherukavu Grama Panchayath has forwarded the regularization application of the petitioner to the government. The Secretary has also reported that the building violates rule 25 of KMBR 1999, Section 220(b) of KPR Act 1994, rule 27(3),27(5),44(2) of KPBR 2011. Hence the Secretary reported that due to these violations they couldn't regularize the building. As per the existing rule, there is no provision to regularize the building with the above violations.

4. In the circumstances reported by the Secretary, Cherukavu Grama Panchayath and on the basis of the existing rule, there is no provision to regularize the building of the petitioner. Hence the request of the petitioner to regularize the building is rejected.

5. The directions contained in the judgment read above are thus complied with.

By Order of the Governor  
T.J Mathew  
Secretary to Government

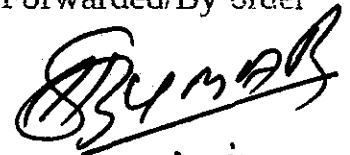
To

Sri. Ratnaraj Kunnath, Kunnath House, Pulikkal P.O, Pin 673 637,  
Malappuram.

The Advocate General, Ernakulam, Kerala (with covering letter)  
Secretary, Cherukavu Grama Panchayath, Malappuram.

✓ The Executive Director, Information Kerala Mission, Thiruvananthapuram.  
Stock file/ Office Copy

Forwarded/By order

  
Section Officer