



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Payyannur Municipality – Judgment dated 27/2/2013 in WP(C) 5578/2013 filed by Sri. Abdulla Haji, Karamel Vellur Village, Payyannur, Kannur - Compliance of Court direction --Orders Issued

LOCAL SELF GOVERNMENT (RB) DEPARTMENT

G.O.(Rt) No. 1259 /2013/LSGD,

Dated, Thiruvananthapuram, 10.5.2013

- Read:-**
1. Judgment dated 27/2/2013 in WP(C) 5578/2013 filed by Sri. Abdulla Haj
 2. G.O.(Rt)No.2674/07/LSGD dated 01/10/2007
 3. Representation(Exhibit P2) dated 14/11/2007 put in by Sri. Abdulla Haji, Karamel Vellur Village, Payyannur, Kannur
 4. Lr.No.D1/681/2008/D.Dis. Dated 09/06/2008 from the Chief Town Planner, Thiruvananthapuram.
 5. Lr.No.C/539/13 dated 02/04/2013 from District Town Planner, Kannur.
 6. Lr.No.E1/7763/13 dated 16/4/2013 from the Secretary, Payyannur Municipality, Payyannur, Kannur.

ORDER

In the judgment read as 1st paper above, the Hon. H.C has directed the first respondent, the Secretary, Government in LSGD, to consider the Exhibit P2 review petition in accordance with law and to pass appropriate orders thereon as expeditiously as possible within a period of two months of the date of receipt of a copy the judgment.

In the Exhibit P2 review petition read as 3rd paper above the petitioner had requested to modify the conditions stipulated in G.O.(Rt)No.2674/07/LSGD dated 01/10/2007. As per the G.O read as 2nd paper above , Government had ordered to regularise the unauthorised construction of the petitioner subject to certain conditions. Against this order the petitioner had submitted Exhibit P2 appeal petition with a request to modify the condition No.1 stipulated in the Government order regularising his unauthorised condition.

In this connection, Government have obtained reports from the the Chief Town Planner, Thiruvananthapuram, the District Town Planner, Kannur and the Secretary, Payyannur Municipality. As per the letter read as 4th and 5th above the Chief Town Planner, Thiruvananthapuram and the District Town Planner, Kannur have reported that it is not possible to give relaxation to the conditions stipulated in G.O(Rt)No.2674/07/LSGD dated 01/10/2007 since it would affect the Payyannur Central Area DTP Scheme. As such it is not practicable to relax the condition stipulated in the Governemnt Order read above.

Government have examined the matter in detail with reports of the the Chief Town

Planner, Thiruvananthapuram and the District Town Planner, Kannur and it is found that Government is not in a position to consider the Exhibit P2 review petition submitted by the Petitioner. Hence the Exhibit P2 review petition dated 14/11/2007 is rejected in due compliance to the direction contained in the judgment dated 27/2/2013 in WP(C)No.5578/13 filed by Shri.Abdulla Haji.

By Order of the Governor

Dr.RAJAN KHOBRAGADE
Secretary to Government.

To

Sri. Abdulla Haji, Karamel Vellur Village, Payyannur, Kannur
The Advocate General, Kerala Ernakulam (with covering letter)
The Chief Town Planner, Thiruvananthapuram
The Secretary, Payyannur Municipality, Payyannur, Kannur
✓ The Executive Director, Information Kerala Mission, Pangappara, Trivandrum
stock file / O/C

Forwarded/By order



Section Officer.

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