

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

RP.No. 132 of 2015 (V) IN WP(C).25979/2014

AGAINST THE JUDGMENT IN WP(C) 25979/2014 of HIGH COURT OF KERALA
DATED 20-10-2014

PETITIONERS :

1. THE SECRETARY, KIZHKKEKKALLDA GRAMA PACNAHAYTH
KIZHKKEKKALLADA POST, KOLLAM
REPRESENTED BY ITS SECRETARY.
2. THE SECRETARY, KIZHKKEKKALLDA GRAMA PACNAHAYTH
KIZHKKEKKALLDA POST, KOLLAM.

BY ADV. SRI.T.K.ANANDA KRISHNAN

RESPONDENT :

JOBSON G VARGHESE
S/O.VARGHESE, VEROOR HOUSE, PUTHOOR POST
KOLLAM.

BY ADV.SRI.MATHEW JOHN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 18-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

AV

K.SURENDRA MOHAN, J.

R.P.No.132 of 2015
in
W.P.(C).No.25979 of 2014

Dated this the 18th day of March, 2015

ORDER

This review petition has been taken up as requested by the learned counsel on both sides and heard.

2. The petitioner had constructed a commercial building in his property on the strength of Ext.P2 building permit issued by the 1st respondent. The construction has been completed. However, the building number was not allotted, despite a request by the petitioner, stating that the land on which the construction was made, was a reclaimed paddy field. The writ petition was disposed of without hearing the review petitioners for the reason that, they had not responded to the notice that was issued from this Court. Therefore, they seek review of the judgment.

3. Having heard the learned counsel appearing for the review petitioners, I do not find any grounds to review the judgment. The only contention raised is that, the land on which the building was constructed was a reclaimed paddy field. However, the fact remains that the petitioner had been issued with Ext.P2 building permit by the then Secretary. It has to be presumed that the building permit was issued after the said authority had satisfied itself of the fact that there was no impediment against issuing the same. Acting on the strength

of the building permit, the petitioner has expended money and has constructed a commercial building. There is absolutely no justification for the present stand adopted by the review petitioners that, it was a paddy field once upon a time. It was for the said reason that, the said writ petition was allowed.

I find no grounds to review the judgment. Therefore, this review petition is dismissed. The review petitioners shall number the building of the petitioner forthwith, if there are no Building Rules violation.

Sd/-

K.SURENDRA MOHAN, JUDGE.

AV