

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 131 of 2015 (N)

PETITIONER :

**AMINA
D/O.KUNHIMUHAMMED HAJI, CHERUKAPPALLI HOUSE
THANCHINGANADAM P.O., MALAPPURAM DISTRICT
PIN-679 325.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S. THAMPI**

RESPONDENT(S) :

**1. KEEZHATTUR GRAMA PANCHAYAT
P.O.POONTHAVANAM, MALAPPURAM DISTRICT, PIN-679 325
REPRESENTED BY ITS SECRETARY.**

**2. THE SECRETARY
KEEZHATTUR GRAMA PANCHAYAT, P.O. POONTHAVANAM
MALAPPURAM DISTRICT, PIN-679 325.**

**R1 & R2 BY ADVS. SRI.P.SAMSUDIN
SRI.K.C.ANTONY MATHEW
SRI.JITHIN LUKOSE**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

WP(C).No. 131 of 2015 (N)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1- TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE NEMMINI OFFICE ALONG WITH ENGLISH TRANSLATION.
- EXT. P2- TRUE COPY OF THE IDENTITY CARD OF THE PETITIONER ISSUED BY THE SOCIAL WELFARE DEPARTMENT.
- EXT. P3- TRUE COPY OF THE APPLICATION FOR BUILDING PERMIT INCLUDING FOR ISSUING NO OBJECTION CERTIFICATE FOR AVAILING ELECTRICITY CONNECTION SUBMITTED BY THE PETITIONER BEFORE THE PANCHAYAT ALONG WITH ENGLISH TRANSLATION.
- EXT. P3(a)- TRUE COPY OF THE RECEIPT NO.597 DATED 4.2.2014 GIVEN BY THE RESPONDENT PANCHAYAT.
- EXT. P4- TRUE COPY OF THE ORDER DATED 26.9.2014 ISSUED BY THE 2ND RESPONDENT ALONG WITH ENGLISH TRANSLATION.
- EXT. P5- PHOTOGRAPHS SHOWING THE EXACT LIE OF THE PROPERTY OF THE PETITIONER.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 131 of 2015

Dated this the 29th day of January, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen v. Land Revenue Commissioner** [2010 (2) KLT 617], the present writ petition is also disposed of on the same lines, applying the ratio laid down by the learned Division Bench in the said decision, thereby quashing Exhibit P4.

Consequently, the second respondent is directed to consider the application of the petitioner for building permission afresh, if necessary, by referring the matter to the District Town Planner, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this judgment.

DAMA SESHADRI NAIDU
JUDGE

DMR/-