

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 149 of 2015 (P)

PETITIONER:

KODAYIL YOUSAF,
S/O.MUHAMMED, KODAYIL HOUSE, NEDIYIRIPPU.P.O.,
KONDOTTY, MALAPPURAM DISTRICT.

BY ADVS.SRI.BABU S. NAIR
SRI.K.RAKESH

RESPONDENTS:

1. THE EDAVANNA GRAMA PANCHAYATH,
EDAVANNA.P.O., MALAPPURAM DISTRICT,
REPRESENTED BY ITS SECRETARY, PIN-676 541.
2. THE SECRETARY
EDAVANNA GRAMA PANCHAYATH, EDAVANNA.P.O.,
MALAPPURAM DISTRICT, PIN-676 541.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1- TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT, REJECTING THE APPLICATION SUBMITTED BY THE PETITIONER DATED, 14.11.2014 AS NO.A3-7541/2.

P1(A)- TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P1.

P2- TRUE COPY OF THE PHOTOGRAPHS OF THE PROPERTIES OF THE PETITIONER.

P3- TRUE COPY OF THE RELEVANT PAGE OF THE DATA BANK PUBLISHED IN THE EDAVANNA GRAMA PANCHAYATH.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 149 of 2015

Dated this the 21st day of January, 2015.

JUDGMENT

In the light of the ratio laid down in Praveen v. Land Revenue Commissioner (2010 (2) KLT 617), this Court disposes of the writ petition on the same lines applying the ratio laid down by the learned Division Bench in the said decision, thereby setting aside Ext.P1.

Consequently, the second respondent is directed to consider the petitioner's application for building permission afresh, if necessary, by referring the matter to the District Town Planner, after subjecting the land in question to physical verification, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within one month from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

