

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 1283 of 2015 (I)

PETITIONER : -

HARIDASAN,
S/O.CHEEYYAYI,
PALAKKAVALLAPPIL,
KUNHIMANGALAM P.O.,
KANNUR DISTRICT.

BY ADV.SRI.M.V.AMARESAN

RESPONDENTS : -

1. PAYYANUR MUNICIPALITY ,
REPRESENTED BY ITS SECRETARY,
P.O.PAYYANUR,
KANNUR DISTRICT, PIN 670307.
2. SECRETARY,
PAYYANUR MUNICIPALITY,
PO. PAYYANUR, KANNUR DISTRICT
PIN 670307.

R1&2 BY ADV.SRI.M.SASINDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 1283 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT-P1 : TRUE COPY OF REGISTERED SALE DEED NO.377/2009 OF S.R.O.
PAYYANUR DATED 27.01.2009 AND ITS ENGLISH TRANSLATION.

EXHIBIT-P2: TRUE COPY OF LAND TAX RECEIPT DATED 21.02.2014 AND ITS
ENGLISH TRANSLATION.

EXHIBIT-P3: TRUE COPY OF APPLICATION UNDER RULE 5(1) AND RULE 144(1) OF
KERALA MUNICIPAL BUILDING RULES FILED BY THE PETITIONER
DATED 28.02.2014.

EXHIBIT-P4: TRUE COPY OF SITE PLAN OF THE CONSTRUCTION IN R.S. NO.11/1A
OF PAYYANNUR VILLAGE IN PAYYANUR MUNICIPALITY.

EXHIBIT-P4(a): TRUE COPY OF BUILDING PLAN IN R.S.NO.104/4 OF PAYYANNUR
VILLAGE IN PAYYANNUR MUNICIPALITY.

EXHIBIT-P5: TRUE COPY OF NOTICE BEARING NO.B.A.1024/13-14 DATED
11.04.2014 ISSUED BY THE RESPONDENT MUNICIPALITY AND ITS
ENGLISH TRANSLATION.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 1283 of 2015

Dated this the 04th day of March, 2015

JUDGMENT

In the light of the ratio laid down in **Abdul Kabeer v. Malappuram Municipality** [2012 (3) KLT 106], the present writ petition is also disposed of on the same lines, applying the ratio laid down by the learned Single Bench in the said decision, thereby quashing Exhibit P5.

Consequently, the second respondent is directed to consider Exhibit P3 application of the petitioner, and 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/-