

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

WP(C).No. 1881 of 2015 (I)

PETITIONER:

ANIL ABRAHAM,
KODINJOOR, VALLAMKULAM EAST,
ERAVIPEROOR VILLAGE,
THIRUVALLA, REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER JOY JOHN,
KOORAPPALLIL HOUSE,
KUMBANADU P.O., KOIPROM, THIRUVALLA,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.S.SREEDEV

RESPONDENTS:

1. THE AGRICULTURAL OFFICER/CONVENOR OF THE LOCAL
LEVEL MONITORING COMMITTEE, KRISHI BHAVAN,
ERAVIPEROOR - 689 542.
2. THE VILLAGE OFFICER,
ERAVIPEROOR - 689 542.
3. THE SECRETARY,
ERAVIPEROOR GRAMA PANCHAYAT,
ERAVIPEROOR - 689 542.
4. DISTRICT TOWN PLANNER,
DISTRICT TOWN PLANNING OFFICE,
PATHANAMTHITTA - 689 645.

R BY SMT. SANJEETHA K.A., GOVERNMENT PLEADER
R BY SRI.T.P.PRADEEP, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 1881 of 2015 (I)

: 2 :

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE APPLICATION FOR PERMIT AND PLAN
DATED 14.12.2014.

EXT.P2 : TRUE COPY OF THE CERTIFICATE DATED 24.12.2014
ISSUED BY THE 2ND RESPONDENT.

EXT.P3 : TRUE COPY OF THE RELEVANT PAGE OF THE DATA BANK
PREPARED BY THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 1881 of 2015 (I)

Dated this the 20th day of January, 2015.

JUDGMENT

In the light of the ratio laid down in Mohammed Abdul Basheer C.P v. State of Kerala and another (2012 (3) KHC 489), this Court disposes of the writ petition on the same lines applying the ratio laid down by this Court in the said decision.

Consequently, the third 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.

