

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. 1892 of 2015 (J)

PETITIONERS:

1. PLACKIYIL MINI SHAJI SEBASTIAN, AGED 44 YEARS,
W/O. SHAJI SEBASTIAN,
PLACKIYIL HOUSE, KADATHUMKADAVU,
PAYAM PANCHAYATH, THALASSERY TALUK,
KANNUR DISTRICT - 670 703.
2. DIANA SURESH BABU, AGED 39 YEARS,
W/O. SURESH BABU, ARALAM PANCHAYATH,
THALASSERY TALUK,
KANNUR DISTRICT - 670 704.
3. JISHA N.J., AGED 35 YEARS,
W/O. WILLSON, CHERIKKATHADATHIL,
PAYAM PANCHAYATH, THALASSERY,
KANNUR - 670 706.

BY ADVS.SRI.PRAVEEN K. JOY
SRI.T.A.JOY

RESPONDENTS:

1. KEEZHUR CHAVASSERY GRAMA PANCHAYATH,
POONADU P.O., KANNUR DISTRICT,
REP. BY SECRETARY - 670 703.
2. THE SECRETARY,
KEEZHUR CHAVASSERY GRAMA PANCHAYATH,
POONADU P.O., KANNUR DISTRICT - 670 703.
3. THE TAHSILDAR,
ERITTY TALUK, KANNUR DISTRICT - 670 703.
4. THE VILLAGE OFFICER,
KEEZHUR, KANNUR DISTRICT - 670 703.

R BY SMT. C.K. SHERIN, GOVERNMENT PLEADER

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

: 2 :

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1 : TRUE PHOTOCOPY OF THE CERTIFICATE DATED 30.12.2014 OF THE 4TH RESPONDENT.
- EXT.P2 : TRUE PHOTOCOPY OF THE TAX RECEIPT DATED 30.12.2014 OF THE 4TH RESPONDENT.
- EXT.P3 : TRUE PHOTOCOPY OF THE SKETCH PREPARED BY LAND SURVEYOR.
- EXT.P4 : TRUE PHOTOGRAPHS OF THE PROPERTY.
- EXT.P5 : TRUE PHOTOCOPY OF THE ORDER DATED 18.11.2014 OF THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 1892 of 2015

Dated this the 20th 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.P5.

Consequently, the second respondent is directed to consider the petitioners' 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.

