

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 2431 of 2015 (D)

PETITIONERS:

1. SRAJUDHEEN,
S/O.VEERAN, 'KADEEJA MANZIL', THIRUNARAYAPURAM,
P.O.PULAMANTHOL, MALAPPURAM DISTRICT, PIN-679 323.
2. SULAIKA,W/O.SRAJUDHEEN,
'KADEEJA MANZIL', THIRUNARAYANAPURAM,
P.O.PULAMANTHOL, MALAPPURAM DISTRICT, PIN-679 323.

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

RESPONDENTS:

1. PERINTHALMANNA MUNICIPALITY,
PERINTHALMANNA,MALAPPURAM DISTRICT,PIN-679 322.
REPRESENTED BY ITS SECRETARY.
2. THE SECRETARY,
PERINTHALMANNA MUNICIPALITY, PERINTHALMANNA,
MALAPPURAM DISTRICT, PIN-679 322.

R1 & R2 BY SRI.P.C.SASIDHARAN, SC, PERINTHALMANNA MUNICIPALITY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 2431 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1	TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE PERINTHALMANNA VILLAGE OFFICER IN FAVOUR OF THE 1ST PETITIONER DATED 6.11.2013
EXT.P1(A)	ENGLISH TRANSLATION OF EXT.P1
EXT.P2	TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE PERINTHALMANNA VILLAGE OFFICER IN FAVOUR OF THE 2ND PETITIONER DATED 6.11.2013
EXT.P2(A)	ENGLISH TRANSLATION OF EXT.P2
EXT.P3	TRUE COPY OF THE ORDER DATED 26.11.2014 ISSUED BY THE 2ND RESPONDENT
EXT.P3(A)	ENGLISH TRANSLATION OF EXT.P3.

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO.JUDGE

sts

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 2431 of 2015

Dated this the 06th day of February, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen K. v. Land Revenue Commissioner, Thiruvananthapuram and others** [2010 (2) KHC 499], 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 P3.

2. 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/-