

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

WP(C).No. 2512 of 2015 (L)

PETITIONER:

USMAN SAHIB SHAJI, AGED 44 YEARS,
S/O. USMAN SAHIB, MUMTAZ MANZIL, GANDHINAGAR - 207
AYATHIL P.O, KOLLAM - 691 017.

BY ADV. SRI.R.RAJESH

RESPONDENTS:

1. THE STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. THE THRIKKAKARA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, THRIKKAKARA,
ERNAKULAM - 682 030.
3. THE SECRETARY,
THRIKKAKARA MUNICIPALITY, THRIKKAKARA - 682 030
ERNAKULAM.

R BY SMT. C.K. SHERIN, GOVERNMENT PLEADER
R BY SRI.S.SHANAVAS KHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 2512 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1-TRUE COPY OF THE PHOTOGRAPHS OF THE PETITIONER'S PROPERTY.

EXHIBIT-P2-TRUE COPY OF THE PHOTOGRAPH OF SURROUNDING AREAS OF THE PETITIONER'S PROPERTY.

EXHIBIT-P3-TRUE COPY OF THE NOTICE DATED 11/12/2014 ISSUED BY THE 3RD RESPONDENT.

EXHIBIT-P4-TRUE COPY OF THE JUDGMENT DATED 21/10/2014 IN W.P (C) 25371 OF 2014 OF THIS HON'BLE COURT.

EXHIBIT-P5-TRUE COPY OF THE JUDGMENT DATED 24/11/2014 IN W.P (C) 28985 OF 2014 OF THIS HON'BLE COURT.

EXHIBIT-P6-TRUE COPY OF THE JUDGMENT DATED 30/10/2014 IN W.P(C) 12868 OF 2014 OF THIS HON'BLE COURT.

EXHIBIT-P7-TRUE COPY OF THE JUDGMENT DATED 22/09/2014 IN W.P(C) 22153 OF 2014 OF THIS HON'BLE COURT.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 2512 of 2015 (L)

Dated this the 27th day of January, 2015.

JUDGMENT

In the light of Ext.P6 judgment, this Court disposes of the writ petition on the same lines applying the ratio laid down by this Court in the said judgment, thereby setting aside Ext.P3.

Consequently, respondents 2 and 3 are directed to consider the petitioner's application 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.

W.P.(C.) No.

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