

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 2624 of 2015 (C)

PETITIONER:

SHINI SAJU, AGED 41 YEARS,
W/O.SAJU, PANEKKADAN HOUSE,
CHALAKUDY, THRISSUR DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SR.)
SMT.P.R.REENA

RESPONDENTS:

1. CHALAKUDY MUNICIPALITY
REP. BY ITS SECRETARY, MUNICIPAL OFFICE,
P.O.CHALAKUDY, THRISSUR DIST. PIN - 680 307.
2. SECRETARY, CHALAKUDY MUNICIPALITY,
MUNICIPAL OFFICE, P.O.CHALAKUDY,
THRISSUR DIST. PIN 680 307.

R1 & r2 BY ADV. SRI.SHEEJO CHACKO

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 2624 of 2015 (C)

PETITIONER'S EXHIBITS:

EXT.P-1: TRUE COPY OF THE POSSESSION CERTIFICATE DATED 4.9.14 ISSUED TO THE PETITIONER.

EXT.P-2: PHOTOGRAPH SHOWING THE PETITIONER'S OLD RESIDENTIAL BUILDING, NH 47 AND ADJACENT COMMERCIAL BUILDING.

EXT.P-3: TRUE COPY OF THE INTIMATION DATED 7.1.2015 ISSUED BY THE 2ND RESPONDENT, WITH ENGLISH TRANSLATION.

EXT.P-4: TRUE COPY OF THE JUDGEMENT IN WPC NO.16791/2014 DATED 12.11.14

EXT.P-5: TRUE COPY OF THE DECISION REPORTED IN 2011(3) KHC 162.

RESPONDENT'S EXHIBITS:

EXT.R1(a) TRUE COPY OF THE JUDGMENT REPORTED IN 2005 (4) KLT 1027

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.31886 of 2014 I

Dated this the 7th day of January, 2015

JUDGMENT

In the light of the ratio laid down in W.P.(C)Nos. 27577/2009 and 25765/2013 and also the judgments in Exhibits P4 and P5, the present writ petition is also disposed of on the same lines applying the ratio laid down by this Court in the said decisions, thereby quashing Exhibit P3.

Consequently, the second respondent is directed to reconsider the application of the petitioner for building permit dated 12.11.2014 afresh, if necessary, by referring the matter to the District Town Planner and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

tkv