

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. 2632 of 2015 (D)

PETITIONER :

**KUNHIMUHAMMED HAJI P.,
S/O.KAMMED, PALAYAKKODAN HOUSE, MELMURI P.O.
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.RAKESH K.**

RESPONDENT(S) :

- 1. THE MALAPPURAM MUNICIPALITY
REPRESENTED BY ITS SECRETARY, MALAPPURAM
MALAPPURAM DISTRICT, PIN - 676 505.**
- 2. THE SECRETARY
THE MALAPPURAM MUNICIPALITY, MALAPPURAM
MALAPPURAM DISTRICT, PIN - 676 505.**

R1 & R2 BY SENIOR STANDING COUNSEL SRI.E.S.M. KABEER

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

Mn

...2/-

WP(C).No. 2632 of 2015 (D)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT.P-1: TRUE COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT
 DATED 12.1.2015 AS NO. BA-177/14-15.**

EXT.P-1(a): TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P1.

**EXT.P-2: TRUE COPY OF THE PHOTOGRAPHS OF THE PROPERTIES OF THE
 PETITIONER.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 2632 of 2015

Dated this the 06th day of February, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen v. Land Revenue Commissioner** [2010 (2) KLT 617], 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 P1.

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/-