

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 2927 of 2015 (M)

PETITIONERS :

- 1. ABU V.T. , AGED 68 YEARS,
S/O.HYDER, RESIDING AT VALIYAKATH THYKADAVIL,
ORUMANAYOOR 680 512, CHAVAKKAD, TRICHUR DISTRICT.**
- 2. AMINAKKUTTY,
W/O.ABU, RESIDING AT VALIYAKATH THYKADAVIL,
ORUMANAYOOR 680 512, CHAVAKKAD, TRICHUR DISTRICT.**

BY ADV. SRI.M.KRISHNAKUMAR

RESPONDENTS :

- 1. KUNNAMKULAM MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, KUNNAMKULAM 680 503.**
- 2. THE SECRETARY
KUNNAMKULAM MUNICIPALITY, KUNNAMKULAM 680 503.**

R1 BY ADV. SRI.RAJIT, SC,KUNNAMKULAM MUNICIPALITY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 2927 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: COPY OF THE NOTICE DATED 9.11.83.

EXHIBIT P2: COPY OF THE ORDER DATED 7.1.15. WITH TRANSLATION.

EXHIBIT P3: COPY OF THE JUDGMENT IN WPC 33811/2010 DATED 9.11.10.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 2927 of 2015 (M)

Dated this the 5th day of February, 2015.

JUDGMENT

In the light of Ext.P3 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.P2.

Consequently, the 2nd 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.

