

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 3709 of 2015 (K)

PETITIONER:

K.K.JOHN, AGED 53 YEARS,
S/O.KAIPARAMBAN KUNJUVARU,
KAIPARAMBIL (H), PERINGAVU DESOM,
PERINGAVU VILLAGE, THRISSUR TALUK,
PERINGAVU P.O., THRISSUR - 680 018.

BY ADVS.SRI.M.R.DHANIL
SRI.M.H.HANIL KUMAR

RESPONDENTS:

1. THE MUNICIPAL CORPORATION,
REPRESENTED BY ITS SECRETARY,
THRISSUR DISTRICT - 680 001.
2. THE SECRETARY,
THRISSUR MUNICIPAL CORPORATION,
THRISSUR - 680 001.
3. THE ASSISTANT ENGINEER,
THRISSUR MUNICIPAL CORPORATION,
REGIONAL OFFICE, VILLVATTOM,
THRISSUR DISTRICT - 680 637.

BY ADV. SRI.K.P.VIJAYAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 3709 of 2015 (K)

PETITIONER'S EXHIBITS:

EXT. P1-TRUE COPY OF THE SALE DEED NO.440/2012 DATED 28.01.2012

EXT. P1(a)- A TRUE COPY OF THE ENGLISH TRANSLATION OF EXT. P1

EXT. P2- A TRUE COPY OF THE TAX RECEIPT NO. 5423164 DATED 05.1.2012
ISSUED BY THE VILLAGE OFFICER PERINGAVU

EXT. P2(a)- A TRUE COPY OF THE ENGLISH TRANSLATION OF EXT P2

EXT. P3- A TRUE COPY OF THE BILL ISSUED BY THE KERALA STATE
ELECTRICITY BOARD DATED 8.11.2011

EXT. P3(a)- A TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P3

EXT. P4- A TRUE COPY OF THE INFORMATION BY CORPORATION BEARING
NO.VLM/BA/0120/14

EXT. P5- A TRUE COPY OF THE RECEIPT ISSUED BY THE 1ST RESPONDENT
DATED 23.12.2014

EXT. P5(a)- A TRUE COPY OF THE ENGLISH TRANSLATION OF EXT P5

EXT. P6- A TRUE COPY OF THE PROCEEDINGS ISSUED BY THE 2ND
RESPONDENT DATED 7.1.2015

EXT. P6(a)- TRUE COPY OF THE ENGLISH TRANSLATION OF EXT P6

EXT. P7- A TRUE COPY OF THE PHOTOGRAPHS SHOWING THE LIE AND
NATURE OF THE RESIDENTIAL HOUSE OF THE PETITIONER

EXT. P8- A TRUE COPY OF THE PRIOR SALE DEED NO.1729/1994 DATED
15.3.1994

EXT. P8(a)- TRUE COPY OF THE ENGLISH TRANSLATION OF EXT P8

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.3709 of 2015 K

Dated this the 12th day of February, 2015

JUDGMENT

In the light of the ratio laid down in **Padmini v. State of Kerala** (1999 (3) KLT 465) and **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 this Court in the said decision, thereby quashing Exhibit P4.

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 pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of one month from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

tkv