

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

WP(C).No.3977 of 2015 (V)

PETITIONERS:

1. **JOS TOM,CHENGAMTHADATIL,
THODUPUZHA EAST POST-685 585.**
2. **ANUMOL TOM,EEZHAPARAMBIL,
KIZHAPARAYAR POST-686 578,
MEENACHIL TALUK.**

**BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZH**

RESPONDENTS:

1. **THE THODUPUZHA MUNICIPALITY,
MUNICIPAL OFFICE,THODUPUZHA,
REPRESENTED BY THE SECRETARY.**
2. **THE SECRETARY,THE THODUPUZHA MUNICIPALITY,
MUNICIPAL OFFICE,THODUPUZHA-685 585.**

R1 & R2 BY SRI.P.K.SOYUZ,S.C,THODUPUZHA MUNICIPALITY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.3977 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1:A TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT
DATED 19.12.2014.**

EXHIBIT P2:PHOTOGRAPHS SHOWING THE PROPERTY.

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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DAMA SESHADRI NAIDU, J.

W.P.(c) No. 3977 of 2015

Dated this the 16th day of February, 2015

JUDGMENT

In the light of the ratio laid down in **Gopalakrishnan v. State of Kerala** [2011 (3) KLT 317], 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.

Consequently, the second respondent is directed to consider the application of petitioners 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/-