

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 4518 of 2015 (L)  
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PETITIONER: -  
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IBRAHIM, AGED 57 YEARS,  
S/O.AMMADKUTTY, SIPAS, OORALLUR POST,  
ARIKKULAM - 673 620, KOZHIKODE DISTRICT.

BY ADVS.SRI.K.P.SUDHEER  
SRI.ARUN MATHEW VADAKKAN

RESPONDENTS: -  
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1. ARIKKULAM GRAMA PANCHAYATH,  
ARIKKULAM, KOZHIKODE DISTRICT, PIN - 673 620,  
REPRESENTED BY ITS SECRETARY.
2. THE LOCAL LEVEL MONITORING COMMITTEE,  
ARIKKULAM GRAMA PANCHAYATH,  
REPRESENTED BY ITS CONVENOR,  
(THE AGRICULTURAL OFFICER), KRISHI BHAVAN, ARIKULLAM,  
KOZHIKODE DISTRICT, PIN - 673 620.

R1 BY ADV.SRI.SANTHARAM.P, (S.C.)  
R2 BY GOVERNMENT PLEADER SRI. JUSTIN JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 4518 of 2015 (L)  
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**APPENDIX**

PETITIONER'S' EXHIBITS : -  
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EXHIBIT P1 : TRUE COPY OF RELEVANT PORTION OF SETTLEMENT DEED  
NO.1279/1988 DATED 07.06.1988 OF MEPPAYUR SRO ALONG WITH  
ITS ENGLISH TRANSLATION.

EXHIBIT P2 : TRUE COPY OF THE SITE PLAN FOR THE PROPOSED  
CONSTRUCTION OF THE SHOP BUILDING OF THE PETITIONER.

EXHIBIT P3 : TRUE COPY OF ORDER NO.A1-116/2015 DATED 15.01.2015 ISSUED  
BY THE 1ST RESPONDENT ALONG WITH ITS ENGLISH  
TRANSLATION.

EXHIBIT P4 : PHOTOGRAPH OF THE PROPERTY OF THE PETITIONER.

EXHIBIT P5 : TRUE COPY OF JUDGMENT 14.01.2013 IN W.P(C)NO.24235/2012  
PASSED BY THIS HON'BLE COURT.

EXHIBIT P6 : TRUE COPY OF RECEIPT DATED 17.12.2014 ISSUED BY THE 1ST  
RESPONDENT ALONG WITH ITS ENGLISH TRANSLATION.

EXHIBIT P7 : TRUE COPY OF JUDGMENT DATED 14.01.2015 IN WP(C)NO.770/2015  
PASSED BY THIS HON'BLE COURT.

RESPONDENTS' EXHIBITS : - NIL.  
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// TRUE COPY //

P.A. TO JUDGE

DMR/-

**DAMA SESHADRI NAIDU, J.**

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**W.P.(c) No. 4518 of 2015**  
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Dated this the 04<sup>th</sup> day of March, 2015

**JUDGMENT**

In the light of the ratio laid down in the judgment dated 14.01.2013 in W.P. (C) No. 24235/2012, the present writ petition is also disposed of on the same lines applying the ratio laid down by the learned single Judge in the said decision, thereby quashing Exhibit P3.

Consequently, the first 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/-