

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).NO. 5539 OF 2015 (N)

PETITIONER(S):

**JAMSHEED, S/O.ABOOBACKER,
KANNAMTHODI IRUMBANOTTIL HOUSE,
PERINTHALMANNA, REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER BASHEER,
S/O.ABOOBACKER, VATTUPARA HOUSE,
PERINTHALAMANNA P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON,
SMT.KAVERY S THAMPI.**

RESPONDENT(S):

- 1. PERINTHALMANNA MUNICIPALITY,
PERINTHALMANNA, MALAPPURAM DISTRICT, PIN -679 322,
REPRESENTED BY ITS SECRETARY.**
- 2. THE SECRETARY,
PERINTHALMANNA MUNICIPALITY, PERINTHALMANNA,
MALAPPURAM DISTRICT, PIN- 679 322.**

BY ADV. SRI.P.C.SASIDHARAN, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE PERINTHALMANNA VILLAGE OFFICER IN FAVOUR OF THE PETITIONER DATED 07/02/2015.
- EXT.P1A ENGLISH TRANSLATION OF EXT.P1.
- EXT.P2 COPY OF THE RELEVANT PAGE OF THE DATA BANK MAINTAINED WITH THE PERINTHALMANNA MUNICIPALITY.
- EXT.P3 PHOTOGRAPH SHOWING THE PROPERTY.
- EXT.P4 COPY OF THE ORDER DATED 01/12/2014 ISSUED BY THE 2ND RESPONDENT.
- EXT.P4A ENGLISH TRANSLATION OF EXT.P4.
- EXT.P5 COPY OF THE RELEVANT PAGE OF THE FAIR VALUE SCHEDULE WITH RESPECT TO PERINTHALMANNA VILLAGE.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 5539 of 2015

Dated this the 06th day of March, 2015

JUDGMENT

In the light of the ratio laid down in the judgment dated 05.03.2015 in W.P. (C) No. 4943/2015, 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, and 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/-