

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 5944 of 2015 (P)

PETITIONER(S) :

**MARIAMMA WILSON, AGED 71 YEARS,
WIFE OF P.S.VIJAYAN, 'MANASAKEERTHANAM',
THANNEERPANTHAL, PALAKKAD.**

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT(S):

- 1. PALAKKAD MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE,
PALAKKAD-678 001.**
- 2. THE DISTRICT TOWN PLANNING OFFICER,
PALAKKAD, CIVIL STATION, PALAKKAD-678 001.**
- 3. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF LOCAL SELF GOVERNMENT,
THIRUVANANTHAPURAM, PIN-695 001.**

R1 BY ADVS. SRI.T.C.SURESH MENON

SRI.P.S.APPU

R2 & R3 BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT P1 :** **A TRUE COPY OF THE POSSESSION CERTIFICATE DATED
DECEMBER 2, 2014 ISSUED BY THE VILLAGE OFFICER,
YAKKARA VILLAGE.**
- EXT P2 :** **A TRUE COPY OF THE ORDER DATED FEBRUARY 7, 2015 ISSUED BY
THE 1ST RESPONDENT.**
- EXT P2(A) :** **A TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P2.**
- EXT P3 :** **A TRUE COPY OF THE JUDGMENT REPORTED IN 2011(3) KHC 162(DB)
OF THIS HON'BLE COURT.**
- EXT P4 :** **A TRUE COPY OF THE JUDGMENT DATED 18-11-2011 IN
W.P.(C).NO.27778/2011.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 5944 of 2015

Dated this the 11th day of March, 2015

JUDGMENT

In the light of the ratio laid down in the judgment dated 18.11.2011 in W.P. (C) No. 27778/2011, 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 P2.

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 second respondent, 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/-