

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. 8656 of 2013 (F)

PETITIONER:

RAJESH D.S., AGED 40 YEARS,
S/O.SAMBU EMBRANTHIRI, RAGASUDHA HOUSE, PUTHOOR,
SHEKHARIPURAM P.O., PALGHAT-678 010.

BY ADVS.SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH MENON
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURYAN THOMAS

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE REVENUE SECRETARY,
GOVT. OF KERALA, SECRETARIAT, TRIVANDRUM-695 005.
2. DISTRICT COLLECTOR,
CIVIL STATION, THRISSUR-680 003.
3. SECRETARY
KAIPARAMBU GRAMA PANCHAYAT, MUNDOOR P.O., THRISSUR
PIN 680 541.
4. VILLAGE OFFICER,
PERAMANGALAM VILLAGE, MUNDOOR P.O., THRISSUR
PIN 680 541.
5. AGRICULTURAL OFFICER
KAIPARAMBU KRISHI BHAVAN, MUNDOOR P.O., THRISSUR
PIN 680 541.

R3 BY ADV. SRI.T.M.CHANDRAN
R BY SRI. JUSTIN JACOB, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 8656 of 2013 (F)

: 2 :

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT-P1: TRUE COPY OF THE TITLE DEED OF THE PROPERTY OF THE PETITIONER, NO.3058/12 OF SRO, MUNDOOR DATED 1.8.2012.

EXHIBIT-P2: TRUE PHOTO COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR BUILDING PERMIT BEFORE THE PANCHAYAT DATED 20.12.2012.

EXHIBIT-P3: TRUE PHOTOCOPY OF THE ACKNOWLEDGMENT ISSUED BY THE PANCHAYAT FOR THE ACCEPTANCE OF THE BUILDING PERMIT APPLICATION DATED 21.12.2012.

EXHIBIT-P4: TRUE PHOTOCOPY OF THE PHOTOGRAPHS OF THE PROPERTY OF THE PETITIONER.

RESPONDENTS' EXHIBITS :

EXHIBIT R3(a): TRUE COPY OF THE REPLY DATED 01.01.2013.

EXHIBIT R3(b): TRUE COPY OF THE RELEVANT PORTION OF THE CIRCULAR DATED 03.11.2007.

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 8656 of 2013 (F)

Dated this the 6th day of March, 2015.

JUDGMENT

The petitioner, being the absolute owner in possession of an extent of 2.01 Ares (5 cent) of dry land comprised in survey Nos. 38/3 and 38/4 of Peramangalam village, applied to the 3rd respondent Grama Panchayath through Ext.P2 for building permit. In response to the petitioner's Ext.P2 application, the respondent Grama Panchayath issued Ext.R3(a) seeking further information from the petitioner to enable the Grama Panchayath to process the petitioner's application and take a decision thereof. Aggrieved, the petitioner has filed the present writ petition.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent Grama Panchayat, apart from perusing the record.

3. The learned counsel for the petitioner has submitted that the petitioner is willing to supply all the necessary information, as has been sought through Ext.R3(a), and that based on the information thus supplied, the respondent Grama Pachayath may

process the petitioner's Ext.P2 application.

4. The learned counsel for the 3rd respondent has also agreed to the submissions made by the learned counsel for the petitioner. He has stated that once the petitioner supplies the information sought by the respondent Grama Panchayath, it will consider the petitioner's application expeditiously.

In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned counsel for the respondent Grama Panchayath, this Court disposes of the writ petition, leaving it open for the petitioner to supply the required information, as has been sought by the respondent Grama Panchayath through Ext.R3(a). Once the information is supplied, the respondent Grama Panchayath shall process Ext.P2 application of the petitioner and pass orders thereon, as expeditiously as possible, at any rate within 30 days from the date of supply of information by the petitioner.

sd/- DAMA SESHADRI NAIDU, JUDGE.