

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. 6488 of 2015 (I)

PETITIONER(S):

**SMITHA KALLIYATH PANOLY,
REPRESENTED BY HER POWER OF ATTORNEY HOLDER
CHANDRAN KALLIYATH PANOLY 'SARGASEEMA'
PRATHIBHA NAGAR, KUNNATHURMEDU P.O.,
PALAKKAD-678013.**

**BY ADVS.SRI.P.N.SUKUMARAN
SRI.K.A.ANAS**

RESPONDENT(S):

**PALAKKAD MUNICIPALITY
REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE
PALAKKAD-678001.**

**BY ADVS. SRI.T.C.SURESH MENON
SRI.P.S.APPU**

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

PJ

WP(C).No. 6488 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 :** TRUE COPY OF THE POSSESSION CERTIFICATE DT.16-12-14 ISSUED BY THE VILLAGE OFFICER, PALAKKAD-III VILLAGE OFFICE.
- EXT.P2 :** TRUE COPY OF THE TAX RECEIPT DT.11-8-14 ISSUED BY THE VILLAGE OFFICER, PALAKKAD-III.
- EXT.P3 :** TRUE COPY OF THE ORDER NO.BA-814/14-15/PW6 DT.9-1-15 ISSUED BY THE MUNICIPALITY.
- EXT.P4 :** TRUE COPY OF THE PHOTOGRAPHS WHICH SHOWS THE LIE AND LOCATION OF THE PROPERTY.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 6488 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 P3.

Consequently, the 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/-