

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. 6878 of 2015 (H)

PETITIONERS:

1. PIUS JOSEPH, S/O.JOSEPH, VILLA NO.19,
SKYLINE CITY PARK, JAWAHAR NAGAR,
KADAVANTHRA, ERNAKULAM.
2. SUNIL PIOUS, W/O.PIUS JOSEPH, VILLA NO.19,
SKYLINE CITY PARK, JAWAHAR NAGAR,
KADAVANTHRA, ERNAKULAM.

BY ADVS.SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH

RESPONDENTS:

1. THRIKKAKARA MUNICIPALITY
KAKKANAD P.O., KOCHI - 682030
REPRESENTED BY ITS SECRETARY.
2. SECRETARY, THRIKKAKARA
MUNICIPALITY, KAKKANAD P.O.,
KOCHI - 682 030.

BY SRI.S.SHANAVAS KHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 6878 of 2015 (H)

PETITIONER'S EXHIBITS:

EXHIBIT P1- TRUE COPY OF THE NOTICE ISSUED BY 2ND RESPONDENT DATED 27.2.2015 AND ENGLISH TRANSLATION OF EXHIBIT P1 IS ALSO ANNEXED

EXHIBIT P2- TRUE COPY OF THE PHOTOGRAPHS SHOWING THE LOCALITY OF PROPERTY OF THE PETITIONER

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.6878 of 2015 H

Dated this the 4th day of March, 2015

JUDGMENT

In the light of the ratio laid down in **Gopalakrishnan.T.V. v. State of Kerala** (2011 (3) KLT 317), the present writ petition is also disposed of on the same lines applying the ratio laid down by the learned Division Bench in the said decision, thereby quashing Exhibit P1.

Consequently, the second respondent is directed to consider the application of the petitioners for building permission afresh, if necessary, by referring the matter to the District Town Planner and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

tkv