

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. 7637 of 2015 (D)

PETITIONER(S):

- 1. P.B.SHYJU,
PLANTHOTTATHIL HOUSE,
NELLIMALA PO, KOIPROM.**
- 2. C.T.CHACKO, AGED 53 YEARS
S/O.THOMAS, CHITTEDATHU HOUSE, KALLISSERY PO
THIRUVANVANDOOOR, CHENGANNUR.**

BY ADV. SRI.P.V.DILEEP

RESPONDENT(S):

- 1. THE AGRICULTURAL OFFICER/CONVENER OF
THE LOCAL LEVEL MONITORING COMMITTEE,
KRISHI BHAVAN, ERAVIPEROOR 689542**
- 2. THE VILLAGE OFFICER
ERAVIPEROOR 689542.**
- 3. THE SECRETARY
ERAVIPEROOR GRAMA PANCHAYATH,
ERAVIPEROOR 689542.**
- 4. CHIEF TOWN PLANNER
THIRUVANANTHAPURAM 695001.**

**R1,2,4 BY GOVERNMENT PLEADER SMT.K.I.SANJEETHA
R3 BY SRI.T.P.PRADEEP**

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

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE APPLICATION FOR PERMIT DATED 14.05.2014**
- P2: TRUE COPY OF THE PROCEEDINGS OF THE 4TH RESPONDENT DATED 23.12.2014 WITH ENGLISH TRANSLATION**
- P3: TRUE COPY OF THE COMMUNICATION DATED 16.02.2015 ISSUED BY THE 3RD RESPONDENT WITH ENGLISH TRNANSLATION.**
- P4: TRUE COPY OF THE COMMUNICATION DATED 10.10.2012 ISSUED BY THE 2ND RESPONDENT WITH ENGLISH TRNANSLATION.**
- P5: TRUE COPY OF THE CERTIFICATE DATED 12.06.2013 ISSUED BY THE 1ST RESPONDENT WITH ENGLISH TRANSLATION.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 7637 of 2015

Dated this the 11th day of March, 2015

JUDGMENT

In the light of the ratio laid down in **Mohammed Abdul Basheer C.P. v. State of Kerala and Another** [2012 (3) KHC 489], the present writ petition is also disposed of on the same lines, applying the ratio laid down by the learned single Bench in the said decision, thereby quashing Exhibit P3.

Consequently, the third respondent is directed to reconsider Exhibit P1 application of the petitioner for building permission, 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/-