

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 9842 of 2015 (E)

PETITIONER :

**JOHNS RESORTS @ PROPERTIES PVT. LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR
SRI. JOSEPH A. THAYYIL, JOHNS SQUARE, CCNB ROAD
ALAPPUZHA – 688 011.**

**BY ADVS.SRI.P.B.SAHASRANAMAN
SRI.T.S.HARIKUMAR
SRI.RAAJESH S.SUBRAHMANIAN**

RESPONDENT :

**ARYAD GRAMA PANCHAYAT
REPRESENTED BY ITS SECRETARY, KOMALAPURAM
AVALUKUNNU P.O., ALAPUZZHA – 688 006.**

BY ADV. SMT. V. RENJU

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

WP(C).No. 9842 of 2015 (E)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1: TRUE PHOTOSTAT COPY OF THE COVERING LETTER BY WHICH THE PROPOSAL WAS MADE BY THE PETITINER TO THE RESPONDENT DATED 03.12.2014.

EXHIBITP2: TRUE PHOTOSTAT COPY OF THE ORDER PASSED BY THE RESPONDENT DATED 20.1.2015, ALONG WITH ENGLISH TRANSLATION.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.9842 of 2015

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Dated this the 12th day of June, 2015

JUDGMENT

The petitioner has approached this Court as the respondent panchayat has rejected the petitioner's application for building permit as per Ext.P2 order on the ground that the petitioner has not obtained clearance certificate.

2. Today when the matter came up for hearing, the learned counsel for the petitioner invited my attention to the notification dated 22.12.2014 [S.O.3252(E)] issued by the Ministry of Environment, Forest and Climate Change, Government of India which states that only building having a plinth area exceeding 20,000 sq. feet requires clearance. A copy of the said notification was also made available to me for my perusal.

3. In the light of the above, the writ petition is disposed of directing the respondents to consider petitioner's application in the

light of what has been stated above and formal orders shall be passed by the respondent *de hors* Ext.P2 within a period of two weeks from the date of receipt of a copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj