

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 10400 of 2015 (Y)

PETITIONER:

1. GEETHA, AGED 54 YEARS,
W/O. ASHOKAN,
MOONTHADIKKAL HOUSE,
VENGERI, KOZHIKODE - 10.
2. AGHILA,
AGED 34 YEARS, W/O. JEEJESH K.,
MOONTHADIKKAL HOUSE,
VENGERI, KOZHIKODE - 10.
3. ABHIJITH, AGED 32 YEARS, S/O. ASHOK,
MOONTHADIKKAL HOUSE,
VENGERI, KOZHIKODE - 10.

BY ADV. SRI.FRANCO T.J.

RESPONDENTS:

1. KOZHIKODE CORPORATION,
REP. BY ITS SECRETARY,
BEACH ROAD, KOZHIKODE - 673 032.
2. SECRETARY, KOZHIKODE CORPORATION,
BEACH ROAD, KOZHIKODE - 673 032.

R1-R2 BY ADV. SRI.K.D.BABU,SC,KOZHIKODE CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

: 2 :

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1 : TRUE PHOTOCOPY OF THE TAX RECEIPT DATED 04.05.2013 ISSUED BY THE VILLAGE OFFICER, VENGARI ALONG WITH ENGLISH TRANSLATION.
- EXT.P2 : TRUE PHOTOCOPY OF THE POSSESSION CERTIFICATE DATED 30.10.2013 ISSUED BY THE VILLAGE OFFICER, VENGARI ALONG WITH ENGLISH TRANSLATION
- EXT.P3 : TRUE PHOTOCOPY OF THE ORDER DATED 21.10.2014 ISSUED BY THE SECOND RESPONDENT ALONG WITH ENGLISH TRANSLATION.
- EXT.P4 : TRUE PHOTOCOPY OF DECLARATION DATED 15.11.2013 ISSUED BY THE AGRICULTURAL FIELD OFFICER, PUTHIYARA, KOZHIKODE ALONG WITH ENGLISH TRANSLATION.
- EXT.P5 : TRUE PHOTOGRAPH OF THE PETITIONERS' PROPERTY.

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 10400 of 2015 (Y)

Dated this the 7th day of April, 2015.

JUDGMENT

In the light of the ratio laid down in the judgment dated 30.03.2015 passed by this Court in W.P.(C) No. 2242 of 2014, this Court disposes of the writ petition on the same lines, thereby setting aside Ext.P3.

Consequently, the 2nd respondent is directed to consider the petitioner's application for building permission afresh, if necessary, by referring the matter to the District Town Planner, after subjecting the land in question to physical verification, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within thirty days from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

W.P.(C). No.

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