

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No. 14198 of 2013 (Y)

PETITIONER:

SUDEESH KUMAR,
S/O.GANGADHARAN, aged 52, RESIDING AT PALLIKADAVATH HOUSE
ENGANDIYOOR, THRISSUR 680 615

BY ADVS. SRI.P.B.KRISHNAN
SMT.GEETHA P.MENON
SRI.N.AJITH
SRI.P.M.NEELAKANDAN
SRI.P.B.SUBRAMANYAN

RESPONDENTS:

1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM 695 001
2. PARAVUR MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE
NORTH PARAVUR 683513
3. MUNICIPAL COUNCIL,
PARAVUR MUNICIPALITY, MUNICIPAL OFFICE
NORTH PARAVUR 683513

R1 - GOVT. PLEADER SRI.P.K.ABDUL RAHMAN,
R2 & R3 - ADV. SRI.C.S.AJITH PRAKASH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 14198 of 2013 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 DATED 30-03-2009,TRUE COPY OF THE JUDGMENT IN W.A NO 619 OF 2009

EXT.P2, DATED 21-10-2010,TRUE COPY OF THE BUILDING PERMIT NO. BA 394/10

EXHIBIT P3 DATED 15-1-2013,TRUE COPY OF THE RESOLUTION NO IB OF THE PARAVUR MUNICIPAL COUNCIL

EXT.P4 DATED 2-2-2013 TRUE COPY OF THE REPRESENTATION MADE BY THE PETITIONER TO THE CHAIRPERSON PARAVUR MUNICIPALITY.

EXT.P5 DATED 22-04-2013,TRUE COPY OF THE LETTER NO TP 394/10 SENT BY THE PARAVUR MUNICIPALITY.

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BABU MATHEW P. JOSEPH, J.

W.P.(C) No.14198 of 2013

Dated this the 27th day of February, 2015

JUDGMENT

Learned counsel for the petitioner submits that the building permit has been renewed during the pendency of this writ petition. Therefore, with a temporary permit for constructing a shed in the premises for storing the materials for the construction of the building, the petitioner can construct the building. In view of this fact, if a direction is given to the respondents 2 and 3 to consider the application being filed by the petitioner for a temporary permit for constructing a shed in his property for storing the materials for the construction of the building, this writ petition itself can be disposed of, further submits the learned counsel.

2. Learned counsel for the respondents 2 and 3 submits that the respondents 2 and 3 have no objection in considering such an application being submitted by the petitioner. In the light of these facts, this writ petition is

disposed of as follows:

The petitioner is at liberty to submit an application for temporary permit for constructing a shed in his property for storing the materials for the construction of the building. If such an application is submitted by the petitioner which shall be considered by the respondents 2 and 3 as expeditiously as possible.

This writ petition is disposed of as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE