

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 12115 of 2015 (L)

PETITIONER : -

M.BHAKTHA VALSALAN,
RESIDING AT KANNOOR VEEDU,
CHERAMANGALAM, PALAKKAD – 678 703,
REP. BY HIS PAHOLDER M. JANARDHANAN,
S/o P. GOPALANNAIR, AGED 62 YEARS,
RESIDING AT MUNOORKODE VEEDU,
THACHAMKADU P.O., MATHUR,
PALAKKAD – 678 571.

BY ADVS.SRI.S.ANANTHAKRISHNAN
SRI.N.K.SUBRAMANIAN

RESPONDENTS : -

-
1. THE PALAKKAD MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
PALAKKAD – 678 001.
 2. THE TOWN PLANNER,
PALAKKAD – 678 001.

R2 BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA
R1 BY SRI.T.C.SURESH MENON, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 12115 of 2015 (L)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1 : TRUE COPY OF THE BASIC TAX RECEIPT DATED 30.04.2013 AND
TRANSLATION.

EXHIBIT P2 : TRUE COPY OF THE POSSESSION CERTIFICATE DATED 14.8.2013.

EXHIBIT P3 : TRUE COPY OF THE ORDER OF REJECTION OF BUILDING PERMIT
DATED 12.1.2015 WITH ENCLOSURE LETTER.

EXHIBIT P4 : TRUE COPY OF THE JUDGMENT IN W.P.No. 30426 OF 2014 DATED
03.12.2014.

RESPONDENTS' EXHIBITS : NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 12115 of 2015

Dated this the 10th day of April, 2015

JUDGMENT

In the light of the ratio laid down in the judgment dated 03.12.2014 in W.P. (C) No. 30426/2014, the present writ petition is also disposed of on the same lines applying the ratio laid down by the learned single Judge in the said decision, thereby quashing Exhibit P3.

Consequently, the first respondent is directed to consider the application of the petitioner for building permission afresh, 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 one month from the date of receipt of a copy of this judgment.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-