

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 14850 of 2015 (E)

PETITIONER(S) :

USMAN AGED 42 YEARS
S/O.MUHAMMAD, EARACHAM VEETIL HOUSE
KAKKASSERI POST - 680 511, CHAVAKKAD TALUK.

BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZH

RESPONDENT(S) :

1. ELAVALLY GRAMA PANCHAYATH
CHITTATTUKARA POST, THRISSUR DISTRICT
REPRESENTED BY ITS SECRETARY 680 511.
2. SECRETARY,
THE ELAVALLY GRAMA PANCHAYATH, CHITTATTUKARA POST
THRISSUR DISTRICT - 680 511.

R1,R2 BY ADV. SRI.SANTHOSH P.PODUVAL
BY ADV. SMT.R.RAJITHA
BY ADV. SMT.VINAYA V.NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 14850 of 2015 (E)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1: PHOTOGRAPHS SHOWING THE PROPERTY OF THE PETITIONER IS
PUCCA DRY LAND WITH COCONUT TREES HAVING AN AGE OF MORE
THAN 25 YEARS

P1(A):PHOTOGRAPHS SHOWING THE PROPERTY OF THE PETITIONER IS
PUCCA DRY LAND WITH COCONUT TREES HAVING AN AGE OF MORE
THAN 25 YEARS

P2: A TRUE COPY OF THE INTIMATION ISSUED BY THE 2ND
RESPONDENT DATED 30/3/2015

RESPONDENT(S) ' EXHIBITS

NIL

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 14850 OF 2015

Dated this the 15th day of September, 2015

JUDGMENT

Ext.P2 order declining permission to construct an auditorium was not preceded by a local inspection as warranted by law. The petitioner asserts that there was a hollow bricks unit functioning in the property for the past several years.

2. The mere fact that the property has been described as 'nancha' in the possession certificate is not a reason to decline permission. I quash Ext.P2 order to enable the second respondent to pass orders after hearing the petitioner. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of accordingly.

V.CHITAMBARESH, JUDGE

