

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 16904 of 2014 (K)

PETITIONER:

AYISHA AGED 52 YEARS, W/O.KUNHALI,
AREEPURATH HOUSE, ULLIYERI P.O.,
KOYILANDY, KOZHIKODE DISTRICT-673 620.

BY ADVS.SRI.SANTHARAM.P
SMT.REKHA ARAVIND

RESPONDENTS:

1. ULLIYERI GRAMA PANCHAYATH,
NADUVANNUR P.O., KOYILANDY TALUK, KOZHIKODE
PIN 673620, REPRESENTED BY ITS SECRETARY.
2. CONVENER, LOCAL LEVEL MONITORING COMMITTEE,
KERALA CONSERVATION OF PADDY LAND AND WETLAND ACT,
ULLIYERI GRAMA PANCHAYATH, ULLIYERI, 673 620.

R1 BY ADVS. SRI.P.R.SREEJITH
SRI.M.PROMODH KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 16904 of 2014 (K)

PETITIONER'S EXHIBITS:

EXHIBIT-P1: TRUE COPY OF THE DOCUMENT NO.2773/86 OF S.R.O. NADUVANNUR DATED 23.08.1986.

EXHIBIT-P2: TRUE COPY OF THE DOCUMENT NO.3260/82 OF S.R.O. NADUVANNUR DATED 29.11.1982.

EXHIBIT-P3: TRUE COPY OF THE DOCUMENT NO.1726/07 OF S.R.O. NADUVANNUR DATED 03.08.2007.

EXHIBIT-P4: TRUE COPY OF THE SITE PLAN FOR THE PROPOSED HOUSE SUBMITTED ALONG WITH APPLICATION FOR BUILDING PERMISSION.

EXHIBIT-P5: COPY OF THE NOTICE DATED 08.05.2014 REJECTING THE APPLICATION FOR BUILDING CONSTRUCTION.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.16904 of 2014 K

Dated this the 16th day of January, 2015

JUDGMENT

In the light of the ratio laid down in the judgment in W.P.(C)No.23418/2014 dated 14.11.2014, the present writ petition is also disposed of on the same lines, thereby quashing Exhibit P5.

Consequently, the respondent Panchayat 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, 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

tkv