

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 17704 of 2014 (K)  
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PETITIONER:  
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RAJEESH, S/O. RAVEENDRAN,  
AMBIKA NIVAS, C/O. SUNIL KUMAR,  
MAKKADA TAPAL, SREEDHARA,  
KUNNATHUPARAMBA, KOZHIKODE-673 611.

BY ADV. SRI. T. G. RAJENDRAN

RESPONDENTS:  
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1. SECRETARY (SPECIAL GRADE),  
KAKKODI GRAMA PANCHAYATH,  
KAKKODI, KOZHIKODE PIN-673611.
2. KAKKODI GRAMA PANCHAYATH,  
KAKKODI, KOZHIKODE REPRESENTED BY  
ITS SECRETARY PIN 673 611.
3. STATE OF KERALA REPRESENTED BY  
CHIEF SECRETARY, SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.

R1-R2 BY ADV. SRI. P. V. KUNHIKRISHNAN  
BY SENIOR GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-09-2015, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**APPENDIX**

**PETITIONER(S)' EXHIBITS**

- EXT.P1 COPY OF THE ORDER OF THE IST RESPONDENT DATED 26.2.2007
- EXT.P2 COPY OF THE APPLICATION FILED BY THE PETITIONER UNDER RIGHT TO INFORMATION ACT BEFORE PANCHAYATH DATED 21.4.2012
- EXT.P3 COPY OF THE REPLY AND ACCOMPANIED DOCUMENTS SENT BY THE IST RESPONDENT TO THE PETITIONER
- EXT.P4 COPY OF THE NOTICE ISSUED BY THE IST RESPONDENT DATED 31.1.2007.

**RESPONDENT(S)' EXHIBITS**

- EXHIBIT R1(a) TRUE COPY OF THE CERTIFICATE DATED NIL ISSUED BY THE ADDITIONAL TAHSILDAR, KOZHIKODE

/TRUE COPY/

P.A. TO JUDGE.

**V. CHITAMBARESH, J**

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**WP(C) NO. 17704 OF 2014**  
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Dated this the 7<sup>th</sup> day of September, 2015

**JUDGMENT**

The mere proposal to initiate land acquisition proceedings is no ground to decline the building permit. It has been so held in several decisions including in **Muhammed Subair Vs Corporation of Kozhikode [2015 (2) KLT 757]**. Therefore any application made by the petitioner for building permit shall be dealt with in accordance with law. Such application shall be considered within a period of one month from the date of its receipt.

The Writ Petition is disposed of.

**V. CHITAMBARESH  
JUDGE**

ncd