

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 20336 of 2013 (N)

PETITIONER(S):

1. P.SAIDALI AGED 72 YEARS
S/O.AHAMMED KUTTY, POOKATUTHODIKA HOUSE, P.O.WANDOOOR
MALAPPURAM DISTRICT.
2. PATHUTHARA SAFIYA
W/O.P.SAIDALI, POOKATUTHODIKA HOUSE, P.O.WANDOOOR
MALAPPURAM DISTRICT.

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT(S):

1. THE WANDOOOR GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY, WANDOOOR P.O.
MALAPPURAM DISTRICT-679328.
2. THE SECRETARY
THE WANDOOOR GRAMA PANCHAYATH, WANDOOOR P.O.
MALAPPURAM DISTRICT-679328.

R1-R2 BY ADV. SRI.SAJU.S.A

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE LICENSE ISSUED BY THE PANCHAYATH.
EXHIBIT-P2: TRUE COPY OF THE RECEIPTS FOR THE LICENSE FEE
REMITTED BY THE FIRST PETITIONER.
EXHIBIT-P3: TRUE COPY OF THE BUILDING CONTRACT DATED 3.12.1993.
EXHIBIT-P4: TRUE COPY OF THE RECEIPTS FOR THE BUILDING TAX DATED
8.8.2005 AND 22.2.2008.
EXHIBIT-P5: TRUE COPY OF THE RECEIPTS FOR THE PROFESSIONAL TAX
REMITTED BY THE FIRST PETITIONER.
EXHIBIT-P6: TRUE COPY OF THE TELEPHONE BILL DATED 5.1.13.
EXHIBIT-P7: TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED BY
THE ASSISTANT LABOUR OFFICER NILAMBUR.
EXHIBIT-P8: TRUE COPY OF THE APPLICATION FOR RENEWAL OF LICENSE
AND REPRESENTATION DATED 5.2.2013.
EXHIBIT-P9: TRUE COPY OF THE DEMAND DRAFT DATED 11.1.2013.
EXHIBIT-P10: TRUE COPY OF THE REPRESENTATION DATED 14.12.2011.
EXHIBIT-P11: TRUE COPY OF THE JUDGMENT DATED 15.03.2013 IN W.P.
(C) NO.7341/2013.
EXHIBIT-P12: TRUE COPY OF THE NOTICE DATED 23.05.2013 WITH POSTAL
COVER.
EXHIBIT-P13: TRUE COPY OF THE REPRESENTATION DATED 03.06.2013.
EXHIBIT-P14: TRUE COPY OF THE ORDER DATED 06.06.2013 PASSED BY
THE SECOND RESPONDENT.
EXHIBIT P15 - TRUE COPY OF THE ORDER DATED 8.7.2008 ISSUED BY THE
SECOND RESPONDENT.

RESPONDENT(S) ' EXHIBITS

EXHIBIT R1(a) - TRUE COPY OF THE ORDER DATED 6.6.2013 ALONG WITH
ACKNOWLEDGEMENT MADE BY 1ST PETITIONER.

TRUE COPY

SKS

P.A. TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 20336 OF 2013

Dated this the 16th day of September, 2015

JUDGMENT

The petitioners confine their relief to an early consideration of their application for regularization of unauthorized construction. The contentions of the petitioners are two fold and they are as under:

- i. The construction of the buildings in question was done much before the Kerala Panchayat Building Rules came into force.
- ii. The construction of the buildings is at any rate liable to be regularized as per the Rules now in force

2. It is up to the petitioners to make a motion in this regard with the respondents. Any such application filed within one month from today shall be dealt with by the second respondent within two months therefrom.

The writ petition is disposed of accordingly.

V.CHITAMBARESH, JUDGE