

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 18032 of 2014 (D)

PETITIONER :

**P.G.JAYAPRAKASH,
S/O.L.GOPALAKRISHNAN, AGED 40 YEARS,
EZHUTHASSAN HOUSE,
PUTHUR, PALAKKAD - 678 001**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT(S):

- 1. THE PALAKKAD MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
MUNICIPAL OFFICE, PALAKKAD - 678 101**
- 2. THE SECRETARY,
PALAKKAD MUNICIPALITY, PALAKKAD - 678 101**
- 3. DISTRICT TOWN PLANNER,
OFFICE OF THE DISTRICT TOWN PLANNER,
PALAKKAD - 678 101.**

**R1 & R2 BY ADV. SRI.T.C.SURESH MENON
SRI.P.S.APPU**

R3 BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKKAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 18032 of 2014 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF DOCUMENT NO. 5032/1/2013 OF S.R.O PALAKKAD.**
- P2 - TRUE COPY OF THE POSSESSION CERTIFICATE.**
- P3 - TRUE COPY OF THE LAND TAX RECEIPT.**
- P4 - TRUE COPY OF THE LETTER BEARING NO. EJBR/541/13-14/PW5 DT. 27.6.14
ISSUED BY THE SECOND RESPONDENT.**
- P5 - TRUE COPY OF THE LETTER DT. 27.5.14 ISSUED BY THE THIRD
RESPONDENT.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 18032 of 2014

Dated this the 08th day of January, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen v. Land Revenue Commissioner** [2010 (2) KLT 617], the present writ petition is also disposed of on the same lines, applying the ratio laid down by the learned Division Bench in the said decision, thereby quashing Exhibit P4.

Consequently, the second respondent is directed to consider the application of the petitioner for building permission afresh, if necessary, by referring the matter to the third respondent, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this judgment.

DAMA SESHADRI NAIDU
JUDGE

DMR/-