

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. 18604 of 2014 (A)

PETITIONER:

P.M.ASSAINAR, AGED 51 YEARS,
S/O. PAKKERKUTTI, PACHILERY MEETHAL, 'SAFA',
KAVIL P.O., NADUVANNUR, KOYILANDY TALUK,
KOZHIKODE DIST-673 614.

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

RESPONDENT:

NADUVANNUR GRAMA PANCHAYATH,
NADUVANNUR P.O., KOYILANDY TALUK, KOZHIKODE
PIN-6736 14, REPRESENTED BY ITS SECRETARY.

BY ADVS. SRI.R.SUDHISH
SMT.M.MANJU

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. 18604 of 2014 (A)

PETITIONER'S EXHIBITS:

EXHIBIT P1- TRUE COPY OF THE DOCUMENT NO.1037/2003 OF S.R.O. NADUVANNUR DATED 29-05-03.

EXHIBIT P2- TRUE COPY OF THE DOCUMENT NO.1267/2003 OF S.R.O. NADUVANNUR DATED 02-07-03.

EXHIBIT P3- TRUE COPY OF THE SITE PLAN FOR THE PROPOSED BUILDING SUBMITTED ALONG WITH APPLICATION FOR BUILDING PERMISSION.

EXHIBIT P4- TRUE COPY OF THE NOTICE DATED 05-03-2014 REJECTING THE APPLICATION FOR BUILDING CONSTRUCTION.

EXHIBIT P5- TRUE COPY OF THE CERTIFICATE DATED 09-06-2014 ISSUED BY THE VILLAGE OFFICER, NADUVANNUR.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.18604 of 2014 A

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 P4.

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