

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. 20779 of 2014 (V)

PETITIONER:

**HISBULLA, AGED 36 YEARS
S/O.ABDUL WAHAB,
RESIDING AT NHELIYATHODI HOUSE
VILAYOOR WEST P.O.,
VILAYOOR VILLAGE, PATTAMBI TALUK
PALAKKAD DISTRICT.**

BY ADV. SRI.K.P.SAILESH (KECHERY)

RESPONDENTS:-:

- 1. PULAMANTHOLE GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY
PULAMANTHOLE GRAMA PANCHAYATH, PULAMANTHOLE P.O.
MALAPPURAM DISTRICT - 676 505.**
- 2. THE SECRETARY,
PULAMANTHOLE GRAMAPANCHAYAT, PULAMANTHOLE P.O.
PIN - 679 323.**
- 3. THE AGRICULTURE OFFICER,
KRISHI BHAVAN, PULAMANTHOLE P.O.
MALAPPURAM DISTRICT - 676 505.**
- 4. THE VILLAGE OFFICER,
PULAMANTHOLE VILLAGE, PULAMANTHOLE P.O.
PIN - 679 323.**

R1 & R2 BY ADVS. SRI.K.T.SIDHIQ

SRI.T.KAJITH KUMAR

R3 & R4 BY SR. GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN

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

DCS

WP(C).No. 20779 of 2014 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. TRUE COPY OF THE SETTLEMENT DEED NO.1249/2014 DATED
04.03.2014.**

**EXHIBIT P2. TRUE COPY OF THE RELINQUISHMENT DEED NO.3857/2011 DATED
30.04.2011.**

EXHIBIT P3. TRUE COPIES OF THE TAX RECEIPTS DATED 30.06.2014.

**EXHIBIT P4. TRUE COPIES OF THE ENCUMBRANCE CERTIFICATES DATED
30.06.2014.**

EXHIBIT P5. TRUE COPY OF THE BUILDING PLAN.

EXHIBIT P6. TRUE COPY OF THE SITE PLAN.

EXHIBIT P7. TRUE COPIES OF THE LETTER DATED 24.02.2014 NO.P.M.L.58/13-14.

**EXHIBIT P8. TRUE COPY OF REJECTION LETTER DATED 05.07.2014 NO.A2-
2167/14.**

EXHIBIT P9. TRUE COPY OF CIRCULAR NO.4545 R.A.1/11 DATED 22.01.2011.

RESPONDENT(S)' EXHIBITS:-

**EXT. R1 (A). TRUE COPY OF THE POSSESSION CERTIFICATE DATED 21.12.2013
ISSUED FROM VILLAGE OFFICE, PULAMANTHOLE**

EXT. R1(B). TRUE COPY OF G.O.(RT) NO. 157/2002/AD DATED 05.02.2002

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 20779 OF 2014

Dated this the 16th day of September, 2015

JUDGMENT

Ext. P8 order declining building permit was not preceded by a site inspection. It was obligatory on the part of the second respondent to conduct such an inspection and take note of the nature of the surrounding property.

2. I quash Ext. P8 order and direct the second respondent to reconsider the application for building permit. The same shall be done with notice to the petitioner within a period of six weeks.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS