

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

WP(C).No. 21521 of 2014 (M)

PETITIONER(S):

**THOMAS, S/O.ANTHAPPAN,
KARUMATHY MAVELI HOUSE,
KARUKUTTY, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.C.P.WILSON,
SRI.V.TEKCHAND.**

RESPONDENT(S):

- 1. KARUKUTTY GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, KARUKUTTY P.O.,
PIN -683 576, ERNAKULAM DISTRICT.**
- 2. SECRETARY,
KARUKUTTY GRAMA PANCHAYAT,
KARUKUTTY P.O., PIN- 683 576,
ERNAKULAM DISTRICT.**

R1 & R2 BY ADV. SRI.G.SANTHOSH KUMAR.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

WP(C).No. 21521 of 2014 (M)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT-P1: TRUE COPY OF THE NO OBJECTION DATED 19/02/2010
ISSUED BY RAILWAYS.**

**EXHIBIT-P2: TRUE COPY OF THE CONCURRENCE ISSUED BY THE
1ST RESPONDENT.**

EXHIBIT-P3: TRUE COPY OF THE ORDER DATED 30/04/2014 REFUSING PERMIT.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 21521 of 2014

Dated this the 23rd 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 P3.

2. 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 District Town Planner, 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/-