

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).No. 21490 of 2015 (I)

PETITIONER(S) :

USMAN SAHIB AGED 58 YEARS
S/O. ALIYAR KUNJU, UMMASSERIL HOUSE
CHANDANTHOPPU P.O., KOTTANKARA VILLAGE, KOLLAM TALUK
KOLLAM DISTRICT.

BY ADVS.SRI.SHIRAZ ABDULLA
SRI.JOJO PAPPACHAN
SRI.G.SREEKUMAR (CHELUR)
SRI.K.I.SAGEER

RESPONDENT(S) :

1. KOTTANKARA GRAMA PANCHAYATH
TKMC P.O., KOLLAM DISTRICT, KOLLAM-5
REPRESENTED BY THE SECRETARY, KOTTARAKKARA
KOLLAM DISTRICT-688 505.
2. THE SECRETARY
KOTTANKARA GRAMA PANCHAYATH, TKMC P.O.
KOLLAM DISTRICT-688 508.

R1-R2 BY ADV. SRI.PRATHEESH.P
R1-R2 BY ADV. SMT.S.SEETHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C)NO.21490/2015

APPENDIX

PETITIONERS EXHIBITS

P1-PHOTOSTAT COPY OF THE SALE DEED NO.1233/1/2015 OF SRO KUNDARA

P2-PHOTOSTAT COPY OF THE JUDGMENT DATED 23.6.2011 IN W.P(C)
NO.14361/2011 OF THE HON'BLE HIGH COURT

P3-PHOTOCOPY OF THE TAX RECEIPT NO.1925181 DATED 10.4.2015

P4-PHOTOCOPY OF THE POSSESSION CERTIFICATE NO.2276/15 DATED 10.4.2015

P5-PHOTOCOPY OF THE RESIDENTIAL/OWNERSHIP CERTIFICATE DATED 29.4.2015.

P6-PHOTOCOPY OF THE PANCHAYATH LICENSE NO.A2-70/11-12 DATED 30.04.2011

P7-PHOTOCOPY OF THE LETTER NO.PCB/KO/CTO/G/302/2011 DATED 25.11.2011.

P8-PHOTOCOPY OF THE FIRE NOC NO.B2-2958/2011 DATED 22.8.2011

P9-PHOTOCOPY OF THE CONSENT LETTER FROM THE PREVIOUS OWNER DATED
30.3.2015

P10-PHOTOCOPY OF THE SSI REGISTRATION CERTIFICATE DATED 13.5.2015.

P11-PHOTOCOPY OF THE CONSENT VARIATION ORDER NO.PCB/KO/CTO/G/302/2011
DATED 25.5.2015.

P12- PHOTOCOPY OF THE FACTORY LICENSE DATED 8.6.2015

P13-PHOTOCOPY OF THE DEMAND NOTICE DATED 23.3.2015

P14-PHOTOCOPY OF THE PAYMENT RECEIPT NO.B4140773 DATED 25.3.2015

P15-PHOTOCOPY OF THE LETTER NO.NIL DATED NIL

P16- PHOTOCOPY OF THE LETTER DATED 10.6.2015

P17-PHOTOCOPY OF THE RECEIPTS NO.A1430191 DATED 14.5.2015 RECEIPT NO.A
1430609 DATED 10.6.2015 AND RECEIPT NO.A 1430737 DATED 20.06.2015.

P18-PHOTOCOPY OF THE COMMUNICATION NUMBER 508/14 DATED 4.6.2015

RESPONDENTS EXHIBITS

EXT.R2(A)-COPY OF THE ORDER ISSUED BY THE TOWN PLANNER DATED 29.7.2011
VIDE NO.C/1408/2011

EXT.R2(B)-COPY OF THE LETTER DATED 5.7.2013 VIDE NO.34682/ARA3/12/LSGD

EXT.R2(C)-COPY OF THE ORDER A2-5739/11 DATED 17.7.2013 ISSUED BY THE
2ND RESPONDENT

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 21490 of 2015

Dated this the 18th day of November, 2015

JUDGMENT

The petitioner laments that the change of the name (licensee) in Ext.P6 Panchayath licence has not been carried out. The Panchayath on the other hand contends that a portion of the construction of the building is unauthorised and liable to be pulled down.

2. It is reported that the petitioner has already been intimated by the second respondent about the violation of the Kerala Panchayath Building Rules. It is open to the petitioner to remove the unauthorised portion and bring the building in conformity with the Kerala Panchayath Building Rules.

3. The petitioner shall intimate the second respondent after rectifying the anomalies who shall thereupon process the application for the change of name of the licensee.

The writ petition is disposed of as above.

sks

V.CHITAMBARESH, JUDGE