

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).No. 22783 of 2015 (W)

PETITIONER:

**HUSSAIN, AGED 60 YEARS
S/O AHAMMED,
KADALAYI HOUSE,
VALAVNNUR P.O.
TIRUR TALUK,
MALAPPURAM DISTRICT-676551.**

BY ADV. SRL.AYYAPPAN SANKAR

RESPONDENTS:

- 1. DISTRICT TOWN PLANNER
MALAPPURAM DISTRICT-676101.**
- 2. TIRUR MUNICIPALITY
THRIKKANDIYOOR P.O.,
TIRUR,
MALAPPURAM DISTRICT-676101
REPRESENTED BY ITS SECRETARY.**

**R1 BY SR. GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN
R2 BY ADVS. SRL.P.K.VIJAYAMOHANAN
SRI.NISHIL.P.S.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 22783 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE PHOTOCOPY OF THE PROPERTY TAX REMITTANCE RECEIPT DATED 13.1.2015 ISSUED FROM VILLAGE OFFICER, THRIKKANDIYOOR.

EXHIBIT P2: TRUE PHOTOCOPY OF THE BUILDING PERMIT NO.BA 533/03-04, TRANSFERRED IN PETITIONER'S NAME AND RENEWED UPT 30.9.2014.

EXHIBIT P3: TRUE PHOTOCOPY OF THE REVISED PLAN SUBMITTED BY PETITIONER IN AUGUST 2014.

EXHIBIT P4: TRUE PHOTOCOPY OF THE NOTICE DATED 8.7.2015 ISSUED BY 2ND RESPONDENT.

EXHIBIT P4(a): TRUE PHOTOCOPY OF THE PROVISIONAL ORDER DATED 8.7.2015 OF THE 2ND RESPONDENT.

EXHIBIT P5: TRUE PHOTOCOPY OF THE APPLICATION DATED 10.7.2015 FILED BY PETITIONER UNDER RIGHT TO INFORMATION ACT.

EXHIBIT P5(a): TRUE PHOTOCOPY OF THE REPLY DATED 14.7.2015.

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J.

W.P.(C). NO. 22783 OF 2015

Dated this the 19th day of November, 2015

JUDGMENT

The building permit issued to the transferor enables only the construction of two floors. But the transferee has reportedly constructed two additional floors. The petitioner/transferee seeks an opportunity to file an application for regularisation.

2. The petitioner is free to file an application for regularisation within one month from today. The second respondent shall consider the same within one month therefrom. The demolition threatened in Ext. P4(a) notice shall not be enforced in the meanwhile.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS