

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C) .No. 23770 of 2015 (U)

PETITIONER:

M.SUDHAKARAN AGED 50 YEARS
S/O.KUMARAN, MOOLAYIL HOUSE
CHETHALLUR P.O.PALAKKAD DISTRICT.

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT:

THE THACHANATTUKARA GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY PALODE P.O.
PALAKKAD DISTRICT - 678 583.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 23770 of 2015 (U)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: TRUE COPY OF THE CERTIFICATE ISSUED BY THE POLLUTION
CONTROL BOARD DATED 8.10.2014.

EXT.P-2: TRUE COPY OF THE SANITARY CERTIFICATE ISSUED BY THE
HEALTH INSPECTOR DATED 7.4.2015.

EXT.P-3: TRUE COPY OF THE CONSENT LETTER GIVEN BY THE NEIGHBOURS
TO THE PETITIONER.

EXT.P-3(A): TRUE COPY OF THE CONSENT LETTER GIVEN BY THE NEIGHBOURS
TO THE PETITIONER.

EXT.P-3(B): TRUE COPY OF THE CONSENT LETTER GIVEN BY THE NEIGHBOURS
TO THE PETITIONER.

EXT.P-4: TRUE COPY OF THE RECEIPT ISSUED BY THE RESPONDENT.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23770 of 2015

Dated this the 6th day of August, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to consider the application for licence as evidenced by Ext.P4 receipt after affording the petitioner an opportunity of being heard.

2. The petitioner is intending to start a small poultry farm in his residence. The petitioner alleges that he has no other job or income and he and his family are depending on the income from the above poultry farm for livelihood. The Health Inspector of the Primary Health Centre, Thachanttukara has conducted an inspection in the premises and issued certificate to the petitioner. All the neighbours have given consent letters to run the poultry farm in the property of the petitioner. The petitioner has submitted application for the licence before the respondent on 9.4.2015 with all statutory documents. The petitioner alleges that even though the application for licence was received by the respondent on

9.4.2015, it was neither considered nor disposed of by the respondent. The petitioner is aggrieved by the inaction on the side of the respondent. It is with this background, the petitioner has come up before this Court.

3. As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent for a time bound disposal of the application for licence, this court is of the view that the writ petition can be disposed of even without issuing notice to the respondent.

Therefore, the writ petition is disposed directing the respondent to consider the application for building permit in respect of which Ext.P4 receipt was issued, after affording the petitioner and affected parties, an opportunity of being heard, within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, it shall be open to the petitioner to produce a copy of the writ petition as well as the copy of this judgment before the respondent at the earliest.

Sd/-

A.V. RAMAKRISHNA PILLAI
JUDGE