

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C) .No. 23871 of 2015 (H)

PETITIONER:

MOHAMMED ASHRAF, AGED 49 YEARS
KARUVATHU, VETTATHUR, PERINTHALMANNA
MALAPPURAM DISTRICT.

BY ADVS.SRI.GEORGE VARGHESE (PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SRI.MANU SEBASTIAN

RESPONDENTS:

1. PERINTHALMANNA MUNICIPALITY
REPRESENTED BY ITS SECRETARY - 679 322.
2. SECRETARY
PERINTHALMANNA MUNICIPALITY - 679 322.

R BY SRI.P.C.SASIDHARAN, SC, PERINTHALMANNA MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 23871 of 2015 (H)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 - A TRUE COPY OF ORDER NO. K.DIS 1612/2004/M DT. 28.2.2004 ISSUED
BY REVENUE DIVISIONAL OFFICER, PERINTHALMANNA.

P2 - A TRUE COPY OF APPLICATION FOR PERMIT.

P3 - A TRUE COPY OF BUILDING PERMIT NO. BA- 204/12-13 DT. 30.11.12.

P4 - A TRUE COPY OF REVISED BUILDING APPLICATION SUBMITTED BY THE
PETITIONER.

P5 - A TRUE COPY OF THE REVISED BUILDING PLAN PRODUCED ALONG WITH
THE APPLICATION.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.23871 of 2015

Dated this the 13th day of August, 2015.

JUDGMENT

The petitioner is aggrieved by the inordinate delay in considering Ext.P4 application submitted by the petitioner for revised building permit.

2. The petitioner alleges that he had made Ext.P2 application for building permit, which was granted as per Ext.P3. Thereafter he made Ext.P4 revised building application with increased plinth area. However, the second respondent has not yet passed any orders on Ext.P4 application till date. Such inordinate delay in considering Ext.P4 revised application is illegal and unreasonable; it is alleged. It is with this background, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner and the learned standing counsel for the respondent municipality in the matter.

4. The learned standing counsel for the respondent

municipality on instructions submitted that the inspection has already been ordered.

Therefore, the writ petition is disposed of directing the respondent municipality to consider Ext.P4 and pass formal orders thereon within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.