

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

WP(C).No. 23916 of 2015 (L)

PETITIONER(S) :

PALARA MOIDEENKUTTY HAJI AGED 65 YEARS
S/O. BEERAN, PALARA HOUSE, VALANCHERY PO
MALAPPURAM DISTRICT

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT(S) :

1. VALANCHERY GRAMA PANCHAYATH
VALANCHERY PO, MALAPPURAM-676 552
REPRESENTED BY ITS SECRETARY
2. THE SECRETARY
VALANCHERY GRAMA PANCHAYATH, VALANCHERY PO
MALAPPURAM -676 552

R1&2 BY ADV. SRI.MILLU DANDAPANI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 23916 of 2015 (L)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1:TRUE COPY OF THE LAND TAX RECEIPT
EXT.P2:TRUE COPY OF THE LAND TAX RECEIPT
EXT.P3:TRUE COPY OF THE POSSESSION CERTIFICATE
EXT.P4: TRUE COPY OF THE POSSESSION CERTIFICATE
EXT.P5:PHOTOGRAPHS OF THE PETITIONER'S PROPERTY
EXT.P6: TRUE CO[PY OF THE BUILDING PERMIT APPLICATION DT. 21/7/15
EXT.P7: TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DT. NIL
EXT.P8-TRUE COPY OF THE RELEVANT PAGE OF THE DATA BANK
EXT.P9-TRUE COPY OF THE CERTIFICATE ISSUED BY THE PUBLIC INFORMATION OF
OFFICER OF KATTIPARUTHY VILLAGE OFFICE DATED 10.9.2015

RESPONDENT(S) ' EXHIBITS

----- NIL

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 23916 OF 2015

Dated this the 2nd day of November, 2015

JUDGMENT

Ext.P7 order declining building permit to the petitioner was not preceded by a local inspection. The same is essential to find out the position on ground and of the surrounding property. The petitioner asserts that all the properties in the neighbourhood have been developed and buildings are also constructed.

2. I quash Ext.P7 order and direct the second respondent to reconsider the issue. The same shall be done with notice to the petitioner and after adverting to all the materials on record. The final orders shall be passed within one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

V.CHITAMBARESH, JUDGE

sks