

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 25137 of 2015 (N)

PETITIONER:

**ABRAHAM P.S.,
AGED 60 YEARS
S/O.DEVASIA,
RESIDING AT COMBONI VILLA
PULLUKALA PUTHENPURAYIL,
20/921, THELLAKOM
ETTUMANOOR P.O.,
KOTTAYAM-686631.**

**BY ADVS.SRI.NIRMAL V NAIR
SRI.ANEESH JOSEPH
SRI.RILGIN V.GEORGE
SRI.M.ANEESH**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF LOCAL SELF GOVERNMENT INSTITUTIONS
SECRETARIAT,
THIRUVANANTHAPURAM-695001.**
- 2. THE SECRETARY
ETTUMANOOR GRAMA PANCHAYAT,
ETTUMANOOR P.O.
KOTTAYAM-686631.**

R1 BY GOVERNMENT PLEADER SRI. P.P.PADMALAYAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 25137 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE SALE DEED NO.3265/2000 DT.29-7-2000 OF THE
ETTUMANUR SRO.**
- P2 : TRUE COPY OF THE LAND TAX RECEIPT DT.23-6-2015.**
- P3 : TRUE COPY OF THE BUILDING PERMIT DT.29-8-2009 ISSUED BY R2.**
- P4 : TRUE COPY OF THE REQUEST FOR RENEWAL DT.23-7-2015 SUBMITTED
BY THE PETITIONER BEFORE R2.**
- P5 : TRUE COPY OF THE ORDER NO.A1-10710/15 DT.4-8-2015 ISSUED BY R2.**
- P6 : TRUE COPY OF THE POSSESSION CERTIFICATE DT.6-8-2015 ISSUED BY
THE PEROOR VILLAGE OFFICE.**
- P7 : TRUE COPY OF THE PHOTOGRAPHS OF THE PETITIONERS' ENTIRE
PROPERTY COMPRISED IN RE.SY.NO.182/1 AND 182/6.**
- P8 : TRUE COPY OF THE JUDGMENT DT.15-3-2012 IN WPC 4682/2012 ON THE
FILES OF THIS HONOURABLE COURT.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V.CHITAMBARESH,J.

W.P.(C) No. 25137 of 2015

Dated this the 30th day of September, 2015

JUDGMENT

Only the renewal of existing building permit is sought. The petitioner contends that the construction is midway. It is the case of the petitioner that no site inspection was done. Ext. P5 order rejecting the application for building permit is assigned.

2. I do feel that there is a total non-application of mind. The matter requires a re-look at the hands of the Panchayat. I quash Ext.P5 order for the purpose. The second respondent shall pass orders anew after hearing the petitioner. The same shall be done within a period of one month.

The writ petition is disposed of.

**V.CHITAMBARESH
JUDGE**

DCS