

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 26125 of 2014 (M)

PETITIONER:

RAJU, AGED 45 YEARS,
S/O.KUNJIKRISHNAN, V.K.VILLA [BABU SADANAM],
NEAR KSRTC BUS STAND, KILIMANOOR, THIRUVANANTHAPURAM.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS:

1. PAZHAYAKUNNUMMEL GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, KILIMANOOR.P.O.,
THIRUVANANTHAPURAM DISTRICT.
2. SECRETARY,
PAZHAYAKUNNUMMEL GRAMA PANCHAYAT, KILIMANOOR.P.O.,
THIRUVANANTHAPURAM DISTRICT.

R1 BY ADV. SRI.K.SIJU
R1 BY ADV. SMT.BINDU GEORGE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

P1- TRUE COPY OF THE PARTITION DEED NO.2660/1995 DATED 31.08.1995 OF KILIMANOOR SRO.

P2- TRUE COPY OF THE LOCATION MAP ISSUED BY THE VILLAGE OFFICER OF THE PAZHAYAKUNNUMEL VILLAGE OFFICE.

P3- TRUE COPY OF THE LOCATION CERTIFICATE WITH RESPECT TO THE PROPERTY IN SY.NO.221/10 DATED 11.07.2014.

P3(a)- TRUE COPY OF THE LOCATION CERTIFICATE WITH RESPECT TO THE PROPERTY IN SY.NO.221/11 DATED 25.07.2014.

P4- COPY OF THE PHOTOGRAPHS OF THE PROPERTY OF THE PETITIONER.

P5- TRUE COPY OF THE BUILDING PLAN OF THE PETITIONER.

P6 - TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 04.08.2014.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 26125 of 2014 (M)

Dated this the 21st day of January, 2015.

JUDGMENT

In the light of the ratio laid down in Praveen v. Land Revenue Commissioner (2010 (2) KLT 617), this Court disposes of the writ petition on the same lines applying the ratio laid down by the learned Division Bench in the said decision, thereby setting aside Ext.P6.

Consequently, the second respondent is directed to consider the petitioner's application for building permission afresh, if necessary, by referring the matter to the District Town Planner, after subjecting the land in question to physical verification, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within one month from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

