

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

WP(C).No. 26127 of 2014 (M)

PETITIONER(S):

**NIYAS, AGED 32 YEARS,
S/O THAYYIL ABU HAJI, THAYYIL HOUSE, ALLOOR,
POST KANMANAM THEKKUMMURI, TIRUR TALUK,
MALAPPURAM DISTRICT.**

BY ADV. SRI.C.M.MOHAMMED IQUABAL

RESPONDENT(S):

- 1. VALAVANNUR GRAMA PANCHAYATH,
POST KALPAKANCHERI, MALAPPURAM DISTRICT - 676 551.
REPRESENTED BY ITS SECRETARY.**
- 2. THE SECRETARY,
VALAVANNUR GRAMA PANCHAYATH, POST KALPAKANCHERI,
MALAPPURAM DISTRICT - 676 551.**
- 3. THE NILAM COMMITTEE,
VALAVANNUR GRAMA PANCHAYATH, POST KALPAKANCHERI,
MALAPPURAM DISTRICT - 676 551.
REPRESENTED BY ITS PRESIDENT.**

BY ADV. SRI.SUNIL V.MOHAMMED

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 26127 of 2014 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: THE TRUE COPY OF THE DOCUMENT NO 3107 OF 2008 OF THE S.R.O.
KALPAKANCERHI DATED 19-07-2008.**

**EXHIBIT P2: THE TRUE COPY OF THE DOCUMENT NO 1183 OF 2013 OF THE S.R.O.
KALPAKANCHERI DATED 20-03-2013.**

**EXHIBIT P3: THE TRUE COPY OF THE DOCUMENT NO 1380 OF 2004 OF THE S.R.O.
KALPAKANCHERI DATED 27-04-2004.**

**EXHIBIT P4: THE TRUE COPY OF THE PHOTOGRAPHS OF THE PROPERTY OF THE
PETITIONER.**

**EXHIBIT P5: THE TRUE COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT
DATED 03-07-2014.**

**EXHIBIT P6: THE TRUE COPY OF THE MEMORANDUM OF THE APPEAL FILED BY THE
PETITIONER BEFORE THE PANCHAYATH BOARD DATED 02-08-2014.**

**EXHIBIT P7: THE TRUE COPY OF THE DECISION OF THE IST RESPONDENT
DATED 06-08-2014.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 26127 of 2014

Dated this the 28th day of January, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen v. Land Revenue Commissioner** [2010 (2) KLT 617], the present writ petition is also disposed of on the same lines, applying the ratio laid down by the learned Division Bench in the said decision, thereby quashing Exhibits P5 and P7.

2. Consequently, the second respondent is directed to consider the application of the petitioner for building permission afresh, if necessary, by referring the matter to the District Town Planner, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this judgment.

DAMA SESHADRI NAIDU
JUDGE

DMR/-