

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WP(C).No. 26601 of 2015 (A)  
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PETITIONER(S):  
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1. ANNA SEBASTIAN, AGED 47 YEARS  
MATTATHIL, PALA.

2. SEBASTIAN  
MATTATHIL, PALA.

BY ADVS.SRI.MATHEW JOHN (K)  
SRI.DOMSON J.VATTAKUZH

RESPONDENT(S):  
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1. THE PALA MUNICIPALITY  
REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE  
PALA 686 575.

2. SECRETARY  
THE PALA MUNICIPALITY, MUNICIPAL OFFICE, PALA 686 575.

3. THE ASSISTANT ENGINEER  
L.S.G.D., THE PALA MUNICIPALITY, MUNICIPAL OFFICE  
PALA 686 575.

R1-R2 BY ADV. SRI.V.M.KURIAN, SC, PALA MUNICIPALITY  
R BY SRI.V.M.KURIAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
18-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 26601 of 2015 (A)

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APPENDIX

PETITIONER(S)' EXHIBITS

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EXHIBIT P1. COPY OF THE INTIMATION DATED 18.8.15 ISSUED BY 3RD  
RESPONDENT.

EXHIBIT P2. COPY OF THE JUDGMENT DATED 31.7.08 IN WPC 8656/08.

EXHIBIT P3. COPY OF THE COMMON JUDGMENT DATED 21.1.13 IN WPC  
28706,28724 AND 29139 OF 2012.

EXHIBIT P4. COPY OF THE JUDGMENT DATED 25.7.14 IN WPC 2170 OF 2014.

RESPONDENT(S)' EXHIBITS : NIL.

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//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

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W.P (C) No.26601 of 2015  
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Dated this the 18<sup>th</sup> day of September, 2015

J U D G M E N T

The issue is covered by Exts.P2, P3 and P4 judgments wherein the first respondent is also a party. It has been held therein that a mere proposal to widen the road under a master plan yet to be finalised is not a reason enough to refuse building permit.

2. Following the same, I quash Ext.P1 order rejecting the application for building permit put in by the petitioners. I direct the second respondent to reconsider the application for building permit put in by the petitioners within a period one month.

The writ Petition is disposed of.

Sd/-  
V.CHITAMBARESH,  
Judge.

nj.