

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 27053 of 2014 (F)

PETITIONER(S):

**SHAMEENA, W/O.SAMEER,
AGED 33 YEARS, THALTHODI HOUSE, VAKKALUR,
KAVANOOR P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.U.K.DEVIDAS,
SMT.LIJI KUTTAPPAN.**

RESPONDENT(S):

**THE PANDIKKAD GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, PANDIKKAD,
MALAPPURAM DISTRICT-676 521.**

**BY ADVS. SRI.K.M.SATHYANATHA MENON,
SMT.KAVERY S THAMPI.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 27053 of 2014 (F)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT-P1: TRUE COPY OF THE LOCATION MAP OF THE PROPERTY
DATED 26.03.2014.**

EXHIBIT-P2: TRUE COPY OF THE POSSESSION CERTIFICATE DATED 26.03.2014.

EXHIBIT-P3: TRUE COPY OF THE RELEVANT PAGE OF THE KERALA GAZETTE.

EXHIBIT-P4: TRUE COPY OF THE PHOTOGRAPHS OF THE PROPERTY.

**EXHIBIT-P5: TRUE COPY OF THE ORDER DATED 11.06.2014 PASSED BY
THE RESPONDENT.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 27053 of 2014 (F)

Dated this the 5th day of February, 2015.

JUDGMENT

In the light of the ratio laid down in Mohammed Abdul Basheer v. State of Kerala (2012 (3) KLT 86), this Court disposes of the writ petition on the same lines applying the ratio laid down by this Court in the said decision, thereby setting aside Ext.P5.

Consequently, the 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.

