

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 27278 of 2015 (H)

PETITIONER:

**MATHEW KURIAN
S/O KURIAN,
MAZHUVANCHERIL PARAMBIL HOUSE
NEAR BOAT JETTY,
CHITTETHUKARA CSEZ PO,
KOCHI-682 030**

BY ADV. SRI.M.A.ABDUL HAKHIM

RESPONDENTS:

- 1. THRIKKAKARA MUNICIPALITY
REPRESENTED BY ITS SECRETARY,
THRIKKAKARA -682 030**
- 2. SECRETARY
THRIKKAKARA MUNICIPALITY,
THRIKKAKARA-682 030**

BY SRI.S.SHANAVAS KHAN, SC, THRIKKAKARA MUNICIPALITY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: PHOTOSTAT COPY OF THE DOCUMENT NO. 364/1995 OF SRO,
THRIKKAKARA DT. 27/1/95**
- EXT.P2: PHOTOSTAT COPY OF THE LAND TAX RECEIPT WITH RESPECT
TO P1 PROPERTY DT. 23/5/15**
- EXT.P3: A PHOTOSTAT COPY OF THE POSSESSION CERTIFICATE WITH
RESPECT TO EXT.P1 PROPERTY DT. 12/5/15**
- EXT.P4: A PHOTOSTAT COPY OF THE ORDER PASSED BY THE 2ND
RESPONDENT DT. 24/6/15**
- EXT.P5: TRUE PHOTOGRAPHS (3 NOS) SHOWING THE CONSTRUCTION OF
MULTI STORIED BUILDINGS IN THE NEIGHBOURING LANDS OF
THE PETITIONER DT. 7/4/15**
- EXT.P6: A PHOTOSTAT COPY OF THE JUDGMENT OF THIS HON'BLE
COURT IN WPC NO. 12868/14 DT. 30/10/14**
- EXT.P7: A PHOTOSTAT COPY OF THE JUDGMENT OF THIS HON'BLE
COURT IN WPC NO. 23745/15 DT. 13/8/15**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 27278 OF 2015

Dated this the 15th day of September, 2015

JUDGMENT

The issue is covered by Exts. P6 and P7 judgments in W.P.(C). Nos. 12868/2014 and 23745/2015. Ext. P4 order rejecting the application for building permit put in by the petitioner is therefore unsustainable.

2. I quash Ext. P4 order and direct the respondents to reconsider the application for building permit with due advertance to Exts. P6 and P7 judgments. A local inspection shall be conducted by the respondents and fresh orders passed on the application for building permit within a period of two months.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS