

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C) .No. 27360 of 2015 (T)

PETITIONER(S) :

C.K.BENSEER,
S/O. KUNJUMUYHAMMAD, CHENNIKKAPURATHUTHADATHIL
EDAPPALLY SOUTH, ELAMAKKARA, ERNAKULAM

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

RESPONDENT(S) :

1. THE KOTTAYAM MUNICIPALITY
KOTTAYAM 686 001 REPRESENTED BY THE SECRETARY.

2. THE SECRETARY,THE KOTTAYAM MUNICIPALITY,
KOTTAYAM 686 001.

BY SRI.S.RANJIT (KOTTAYAM) , SC, KOTTAYAM MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-09-2015, ALONG WITH WPC. 27361/2015, WPC. 27362/2015, WPC.
27363/2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 27360 of 2015 (T)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 PHOTGRAPHS SHOWING THE PROPERTY

EXT.P2 A TRUE COPY OF THE INTIMATION OF THE 2ND RESPONDENT DATED 20-08-2015

EXT.P3 A TRUE COPY OF THE JUDGMENT IN W.P(C) NO 22101 OF 2018 DATED 19-08-2015

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

vgs

V. CHITAMBARESH, J

**W.P.(C). Nos. 27360, 27361, 27362
& 27363 of 2015**

Dated this the 17th day of September, 2015

JUDGMENT

Ext. P2 order declining building permit was not preceded by a site inspection. The petitioners also rely on Ext. P3 judgment in W.P.(C). No. 22101/2015. A total non-application of mind is well evident by the mere reading of Ext. P2 order.

2. I quash Ext. P2 order and direct the second respondent to reconsider the issue. The same shall be done with notice to the petitioners within a period of one month.

The writ petitions are disposed of.

**V. CHITAMBARESH
JUDGE**

DCS