

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 29238 of 2014 (D)

PETITIONER:

**NADARAJAN, AGED 42 YEARS
S/O. THANNEERPANTHAL VEETIL GOPALAN,
MATHOOR AMSOM
PALLANCHATHANUR DESOM,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.FRANCO T.J.
SRI.G.SANTHOSH KUMAR (P).**

RESPONDENTS:

- 1. THE THIRUVILVAMALA GRAMA PANCHAYATH
THIRUVILVAMALA,
THRISSUR DISTRICT
REP. BY ITS SECRETARY-680001.**
- 2. THE SECRETARY
THE THIRUVILVAMALA GRAMA PANCHAYATH,
THIRUVILVAMALA
THRISSUR DISTRICT-680001.**
- 3. RAJAN
S/O. ERAVATHODI THERUV KRISHNAN,
KANIYARKODE DESAM
THIRUVILVAMALA AMSOM, THALAPPILLY TALUK
THRISSUR DISTRICT-680001.**

**R1 & R2 BY ADVS. SRI.P.VIJAYA BHANU (SR.)
SRI.AJEESH K.SASI
SRI.UNNI SEBASTIAN KAPPEN
R3 BY ADV. SRI.RAJIT**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 29238 of 2014 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- TRUE COPY OF THE SALE DEED NO. 3246/1995 IN PAZHAYANNUR
S.R.O.**

**EXHIBIT P2- TRUE COPY OF THE JUDGMENT IN OS.NO.532/2007 DATED 31-01-
2009.**

**EXHIBIT P3- TRUE COPY OF THE JUDGMENT IN APPEAL NO. 137/2010 DATED
31-03-2014.**

**EXHIBIT P4- TRUE COPY OF THE COMPLAINT DATED 20-10-2014 PREFERRED
BY THE PETITIONER TO THE 2ND RESPONDENT .**

**EXHIBIT P5- TRUE COPY OF THE PHOTOGRAPHS SHOWING THE
UNAUTHORIZED CONSTRUCTIONS LAID DOWN BY THE 3RD
RESPONDENT.**

RESPONDENT(S)' EXHIBITS:-

**EXHIBIT R3(a)- TRUE COPY OF THE BUILDING PERMIT ISSUED BY THE
SECOND RESPONDENT**

**EXHIBIT R3(b)- TRUE COPY OF THE LETTER ISSUED BY THE 2ND
RESPONDENT BEARING NO. C3/1804/15 DATED 19.08.2015**

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 29238 OF 2014

Dated this the 16th day of September, 2015

JUDGMENT

The parties are at variance as to whether the construction was effected in accordance with the building permit or not. Ext. P4 complaint put in by the petitioner is pending consideration.

2. I direct the second respondent to conduct a site inspection for verification. Ext. P4 complaint shall thereafter be disposed of on the basis of inspection conducted.

3. The needful shall be done with notice to the petitioner as well as the third respondent. The building shall be numbered in case the construction is in conformity with the building permit.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS

