

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

W.P.(C).No. 29296 of 2015 (J)

PETITIONER:

**YOHANNAN K.V,
S/O. VARGHESE, PALLIPPURATH HOUSE,
7/419, PAITTAKULAM, OLIYAPURAM POST,
KOOTHATUKULAM.**

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

RESPONDENT(S):

**1. THE KOOTHATTUKULAM GRAMA PANCHAYATH,
KOOTHATTUKULAM POST - 686 662
REPRESENTED BY THE SECRETARY.**

**2. THE SECRETARY,
THE KOOTHATTUKULAM GRAMA PANCHAYATH,
KOOTHATTUKULAM POST - 686 662.**

BY ADV. SRI. K.M.JAMALUDHEEN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 29296 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT. P1: A TRUE COPY OF THE INTIMATION OF THE 2ND RESPONDENT DATED
 22.9.2015.**

EXT. P2: PHOTOGRAPH SHOWING THE PROPERTY.

**EXT. P3: A TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.25539 OF 2012 DATED
 14.11.2012.**

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

WW

V. CHITAMBARESH, J.

W.P.(C) No. 29296 of 2015

Dated this the 29th day of October, 2015

JUDGMENT

The issue is covered by Ext.P3 judgment in W.P.(C).No.25539/2012 dated 14.11.2012 in relation a neighbouring property.

2. The mere fact that the property has been described as wet land in the records is no ground to decline the building permit. The ground realities has to be assessed and the developments in the neighborhood have to be analysed.

3. I quash Ext.P1 order and direct the second respondent to reconsider the application for building permit. The same shall be done with notice to the petitioner within a period of two months.

The writ petition is disposed of.

Sd/-
V. CHITAMBARESH
JUDGE