

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

WP(C).No. 30264 of 2015 (G)

PETITIONER(S) :

**BABU CHAKOLA, AGED 53 YEARS,
S/O.LATE C.O.OPPAN, RESIDING AT CHACKOLA HOUSE,
AIKA NAGAR, NADATHARA P.O.,
THRISSUR TALUK AND DISTRICT 680 751.**

BY ADV. SMT.P.K.PRIYA

RESPONDENT(S) :

- 1. THE CORPORATION OF THRISSUR,
REP. BY ITS SECRETARY 680 001.**
- 2. THE EXECUTIVE ENGINEER,
DEPARTMENT OF LOCAL SELF GOVERNMENT,
THIRSSUR CORPORATION, PIN 680001.**
- 3. EXECUTIVE ENGINEER,
DEPARTMENT OF TOWN PLANNING
THIRSSUR CORPORATION 680001.**

R1-R3 BY ADV. SRI.K.P.VIJAYAN,SC,THRISSUR CORPORATION

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
13-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

AMV

WP(C).No. 30264 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1- COPY OF THE NO.1029/2014 DATED 24.3.2014.
- P2- COPY OF THE SALE DEED NO.1600/1997 DATED 11.4.1997.
- P3- COPY OF THE REVENUE TAX RECEIPT DATED 19.8.2015 EVIDENCING
THE PAYMENT MADE BY THE PETITIONER.
- P4- COPY OF THE REVENUE TAX RECEIPT DATED 19.8.2015 EVIDENCING
THE PAYMENT MADE BY THE PETITIONER.
- P5- COPY OF THE PHOTOS SHOWING OF THE PRESENT NATURE OF THE
LAND OF THE PETITIONER AND THE NEIGHBOURING BUILDING.
- P6- COPY OF THE INFORMATION SEND BY THE 2ND RESPONDENT TO THE
PETITIONER DATED 10.6.2015.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

PA.TO JUDGE

AMV

V. CHITAMBARESH, J.

.....
W.P.(C).No.30264 of 2015 (G)

.....
Dated this the 13th day of November, 2015

JUDGMENT

The mere fact that the property has been described as wet land in the possession certificate is no ground to decline building permit as sought by the petitioner. The ground realities have to be assessed and the improvements if any done in the neighbouring property has to be noticed. A site inspection with notice to the interested parties has to precede the hearing on the application for building permit.

2. I quash Ext.P6 order and direct the 1st respondent to re-consider the application for building permit put in by the petitioner. The same shall be done with notice to the petitioner within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

Sd/-
(V.CHITAMBARESH, JUDGE)

AMV/16/11/