

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 30566 of 2014 (U)

PETITIONER:

**C.K.RAFEEQUE,
AGED 35 YEARS, S/O.MUHAMMED,
CHALATTIL KALLADITHODI HOUSE, MUTTIPPADI
MELMURI P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.ABDUL JAWAD
SMT.VINEETHA V.KUMAR**

RESPONDENT(S):

- 1. THE MALAPPURAM MUNICIPALITY,
REPRESENTED BY THE SECRETARY,
MALAPPURAM - 676 505.**
- 2. THE SECRETARY,
MALAPPURAM MUNICIPALITY - 676 505.**

BY SRI.ESM.KABEER, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1: TRUE COPY OF THE NOTICE DATED 3/3/2014 ISSUED BY THE
2ND RESPONDENT TO THE PETITIONER.
- EXT.P2: TRUE COPY OF THE JUDGMENT DATED 24/6/2014 IN
WPC NO.8809/2014.
- EXT.P3: TRUE COPY OF THE ORDER NO.PW2-7871/2010 DATED 10/9/2014
ISSUED BY THE 2ND RESPONDENT.
- EXT.P4: TRUE COPY OF THE COVERING LETTER DATED 14/10/2014 SENT BY
PETITIONER TO THE 2ND RESPONDENT.
- EXT.P5: TRUE COPY OF THE ORDER DATED 12/11/2014 ISSUED BY THE
2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

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DAMA SESHADRI NAIDU, J.

W.P.(c) No. 30566 of 2014

Dated this the 22nd day of January, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen v. Land Revenue Commissioner** [2010 (2) KLT 617], the present writ petition is also disposed of on the same lines, applying the ratio laid down by the learned Division Bench in the said decision, thereby quashing Exhibit P5.

Consequently, the second respondent is directed to consider the application of the petitioner for building permission afresh, taking into account Exhibit P3 as well, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this judgment.

DAMA SESHADRI NAIDU
JUDGE

DMR/-