

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 31423 of 2014 (C)

PETITIONERS : -

1. PANOLI SIJEESH, AGED 34 YEARS,
S/O.SIVASANKARAN,
EDATHODI HOUSE, VAIDYARANGADI,
KOZHIKODE TALUK, KOZHIKODE DISTRICT.
2. ATHIRA, W/O.SIJEESH,
EDATHODI HOUSE, VAIDYARANGADI,
KOZHIKODE TALUK, KOZHIKODE DISTRICT

BY ADV.SRI.BABU S. NAIR

RESPONDENTS : -

1. THE CHERUKAVU GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
PULIKKAL P.O.,
MALAPPURAM DISTRICT, PIN 673 637.
2. THE SECRETARY,
CHERUKAVU GRAMA PANCHAYATH,
PULIKKAL P.O.,
MALAPPURAM DISTRICT, PIN 673 637.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
09-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 31423 of 2014 (C)

APPENDIX

PETITIONERS' EXHIBITS : -

EXHIBIT P1 : COPY OF THE COMMUNICATION ISSUED BY THE 2ND
RESPONDENT TO THE PETITIONERS DATED 24/7/2014.

EXHIBIT P2 : COPIES OF THE PHOTOGRAPHS OF THE PROPERTIES OF THE
PETITIONER AND THE ADJACENT BUILDINGS.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 31423 of 2014

Dated this the 09th day of January, 2015

JUDGMENT

In the light of the ratio laid down in **Gopalakrishnan v. State of Kerala** [2011 (3) KLT 317], 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 P1.

Consequently, the second respondent is directed to consider the application of the petitioners for building permission afresh, if necessary, by referring the matter to the District Town Planner, 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/-