

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. 31518 of 2014 (L)

PETITIONER : -

MUSTHAFA, AGED 39 YEARS,
S/O.MARAKKAR HAJI,
VELLAKAVIL HOUSE,
VADAKKUMPURAM P.O.,
VIA VALANCHERRY,
MALAPPURAM DISTRICT.

BY ADVS.SRI.SANTHEEP ANKARATH
SRI.ARUN MATHEW VADAKKAN

RESPONDENTS : -

1. IRIMBILIYAM GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
VALIYAKUNNU POST,
MALAPPURAM DISTRICT, PIN 676552.

ADDL. R2 IMPEADED

ADDL. R2. THE REVENUE DIVISIONAL OFFICER,
TIRUR – 676 101, MALAPPURAM.
(IS IMPEADED AS PER ORDER DATED 11.12.2014 IN IA 16798/14).

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

WP(C).No. 31518 of 2014 (L)

APPENDIX

PETITIONER'S' EXHIBITS : -

EXHIBIT-P1 : TRUE COPY OF ORDER NO.A4-4762/14 DATED 25.09.2014 ISSUED BY
THE RESPONDENT.

EXHIBIT-P2: TRUE COPY OF THE RELEVANT PAGE OF THE DATA BANK DATED
NIL CONCERNING PROPERTY OF THE PETITIONER.

EXHIBIT-P3: TRUE COPY OF THE PHOTOGRAPHS (3 NOS.) OF THE PROPERTY OF
THE PETITIONER.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 31518 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 first respondent is directed to consider the application of the petitioner 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/-