

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

WP(C).No. 31319 of 2015 (L)

PETITIONER(S) :

SABU THAZHATH AGED 43 YEARS  
S/O.SEBASTIAN, THAZHATH HOUSE  
NEAR GOVERNMENT HOSPITAL, CHALAKKUDY  
THRISSUR DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SR.)  
SMT.P.R.REENA

RESPONDENT(S) :

1. CHALAKUDY MUNICIPALITY  
MUNICIPAL OFFICE, CHALAKUDY  
THRISSUR DISTRICT. PIN-680 307  
REPRESENTED BY ITS SECRETARY.
2. THE SECRETARY  
CHALAKUDY MUNICIPALITY, MUNICIPAL OFFICE, CHALAKUDY  
THRISSUR DISTRICT. PIN-680 307.

R1,R2 BY ADV. SRI.SHEEJO CHACKO, SC, CHALAKUDY MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 31319 of 2015 (L)

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APPENDIX

PETITIONER(S) ' EXHIBITS

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P1- TRUE COPY OF THE LAND TAX RECEIPT ISSUED TO THE PETITIONER DATED 06.04.2015.

P2- TRUE COPY OF THE JUDGMENTS OF THIS HON'BLE COURT IN W.P[C] NO.27577/2009 DATED 17.11.2012.

P2(A)- TRUE COPY OF THE DECISION REPORTED IN 2011(4) KHC 844.

P2(B)- TRUE COPY OF THE DECISION REPORTED IN WP[C]NO.17322 OF 2012 DATED 17.09.2012.

P3- TRUE COPY OF THE E-FILE DETAILS REGARDING THE BUILDING PERMIT APPLICATION.

P4- TRUE COPY OF THE PHOTOGRAPHS SHOWING PETITIONER'S PROPERTY.

RESPONDENT(S) ' EXHIBITS

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NIL

TRUE COPY

SKS

P.A TO JUDGE

**K.HARILAL, J.**

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**W.P(C)NO. 31319 OF 2015**  
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**Dated this the 1<sup>st</sup> day of December, 2015**

**JUDGMENT**

The petitioner is the owner in possession of 9.51 cents of land in Sy.No.504/18 of East Chalakkudy Village. According to the petitioner, the aforesaid property is situated in the south junction of Chalakkudy at the church road. The entire area is having a large number of commercial buildings. The petitioner had intended to construct a commercial building in his property also and filed an application seeking building permit as evidenced by Ext.P3; but the same has not been considered so far, despite the long lapse of time. These grievances are ventilated in this writ petition, claiming the reliefs sought for.

2. Heard. The learned counsel for the petitioner confines his arguments to the limited extent of seeking a direction to the Municipality to take a decision on the application filed by the petitioner at the earliest.

3. Having regard to the pendency of the application seeking building permit, which is evidenced by Ext.P3, the second respondent is directed to consider and pass orders on the said application filed by the petitioner, at any rate, within one month from the date of receipt of a copy of this judgment, after affording opportunity of being heard to the petitioner.

The writ petition is disposed of as above.

**K.HARILAL, JUDGE**

sks