

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 31559 of 2014 (T)

PETITIONER :

**ABDU RAHMAN, AGED 52 YEARS,
W/O.MOIDY, VADAKE KANIYANDI, ELANKAMAL
KAVIL POST, KOZIKODE DISTRICT, PIN - 673 614.**

**BY ADVS.SRI.K.P.SUDHEER
SRI.ARUN MATHEW VADAKKAN**

RESPONDENTS :

**1. NADUVANNUR GRAMA PANCHAYATH,
POST NADUVANNUR, PIN - 673 614, KOZHIKODE
REPRESENTED BY ITS SECRETARY.**

ADDL. R2 & R3 IMPEADED :

**2. THE LOCAL LEVEL MONITORING COMMITTEE
NADUVANNUR GRAMA PANCHAYATH,
REPRESENTED BY ITS CONVENOR
(THE AGRICULTURAL OFFICER),
KRISHI BHAVAN, NADUVANNUR
KOZHIKODE DISTRICT, PIN - 673 614.**

**3. THE REVENUE DIVISIONAL OFFICER
KOZHIKODE - 673 020.**

**ADDL.R2 AND R3 ARE IMPEADED AS PER ORDER DATED 04.12.2014
IN IA 16384/14.**

R1 BY ADV. SRI.R.SUDHISH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF DOC.NO.1179/1993 DATED 02.06.1993 OF SRO,
NADUVANNUR.
- EXHIBIT P2: TRUE COPY OF DOC.NO.363/1996 DATED 13.02.1996 OF SRO,
NADUVANNUR.
- EXHIBIT P3: TRUE COPY OF ORDER NO.A3-5308/14 DATED 17.11.2014 ISSUED BY
THE RESPONDENT.
- EXHIBIT P4: TRUE COPY OF RELEVANT EXTRACT OF DATA BANK CONCERNING
THE PROPERTY OF THE PETITIONER.
- EXHIBIT P5: PHOTOGRAPHS (3 NOS.) SHOWING THE PETITIONER'S PROPERTY.
- EXHIBIT P6: TRUE COPY OF JUDGMENT DATED 14.01.2013 IN WP(C)NO.24235/2012
PASSED BY THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 31559 of 2014

Dated this the 07th day of January, 2015

JUDGMENT

In the light of the ratio laid down in the judgment dated 14.01.2013 in W.P. (C) No. 24235/2012, the present writ petition is also disposed of on the same lines applying the ratio laid down by the learned single Judge in the said decision, thereby quashing Exhibit P3.

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 one month from the date of receipt of a copy of this judgment.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-