

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

WP(C).No. 32706 of 2014 (K)

PETITIONER:

**RAJEENA IRFAN, VADAKKAYIL,
MANGATTUKAVALA, THODUPUZHA.**

**BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZH**

RESPONDENT(S):

- 1. THE THODUPUZHA MUNICIPALITY,
MUNICIPAL OFFICE, THODUPUZHA,
REPRESENTED BY THE SECRETARY.**
- 2. THE SECRETARY,
THE THODUPUZHA MUNICIPALITY,
MUNICIPAL OFFICE, THODUPUZHA-685585.**

BY SRI.P.K.SOYUZ, SC

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

WP(C).No. 32706 of 2014 (K)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1: A TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 16.10.2014.

P2: PHOTOGRAPHS SHOWING THE PROPERTY.

P2(A): PHOTOGRAPHS SHOWING THE PROPERTY.

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 32706 of 2014

Dated this the 23rd 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 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/-