

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 32916 of 2014 (L)

PETITIONER:

LIJO M. JOSE,
S/O. M.C.JOSEPH, MANJAPPILLIL HOUSE,
ALAKKODE KARA & VILLAGE
KALAYANTHANI POST, THODUPUZHA.

BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZHAY

RESPONDENTS:

1. THE THODUPUZHA MUNICIPALITY,
MUNICIPAL OFFICE, THODUPUZHA,
REPRESENTED BY THE SECRETARY - 685 585.
2. THE SECRETARY,
THE THODUPUZHA MUNICIPALITY, MINICIPAL OFFICE,
THODUPUZHA - 685 585.

R1,R2 BY ADV. SRI.P.K.SOYUZ,THODUPUZHA MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 32916 of 2014 (L)

APPENDIX

PETITIONER'S EXHIBITS :

P1 - A TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT NO. PW2/12234/13.

P2 - A TRUE COPY OF THE REPORT OF THE VILLAGE OFFICER, KARIKKODE DT.
12.12.13.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

rv

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 32916 of 2014 (L)

Dated this the 22nd day of January, 2015.

JUDGMENT

In the light of the ratio laid down in Praveen v. Land Revenue Commissioner (2010 (2) KLT 617), this Court disposes of the writ petition on the same lines applying the ratio laid down by the learned Division Bench in the said decision, thereby setting aside Ext.P1.

Consequently, the 2nd respondent is directed to consider the petitioner's application for building permission afresh, if necessary, by referring the matter to the District Town Planner, after subjecting the land in question to physical verification, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within one month from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

