

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).NO. 33353 OF 2014 (T)

PETITIONER(S):

- 1. SHAJAHAN.S., AGED 47 YEARS,
S/O.LATE SAINLABUDEEN, NEDIYAVILAKATH HOUSE,
10TH MILE STONE, NEDUMANGADU P.O.,
NEDUMANGADU VILLAGE, THIRUVANANTHAPURAM-695 541.**
- 2. NAZUMUDDEEN. S., AGED 45 YEARS,
S/O.LATE SAINLABUDEEN, NEDIYAVILAKATH HOUSE,
10TH MILE STONE, NEDUMANGADU P.O.,
NEDUMANGADU VILLAGE, THIRUVANANTHAPURAM-695 541.**
- 3. ANZAR. S., AGED 43 YEARS,
S/O.LATE SAINLABUDEEN, NEDIYAVILAKATHU HOUSE,
10TH MILE STONE, NEDUMANGADU P.O.,
NEDUMANGADU VILLAGE, THIRUVANANTHAPURAM-695 541.**

**BY ADVS.SRI.ABU MATHEW,
SRI.AJU MATHEW.**

RESPONDENT(S):

**NEDUMANGADU MUNICIPALITY,
MUNICIPAL OFFICE, NEDUMANGADU P.O.,
THIRUVANANTHAPURAM DISTRICT-695 541,
REPRESENTED BY ITS SECRETARY.**

BY ADV. SRI.P.RAMAKRISHNAN, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 TRUE COPY OF THE TAX RECEIPT ISSUED BY THE VILLAGE OFFICER, NEDUMANGADU VILLAGE, IN THE NAME OF THE 1ST PETITIONER.
- EXT.P2. TRUE COPY OF THE BASIC TAX RECEIPT ISSUED BY THE VILLAGE OFFICER, NEDUMANGADU VILLAGE IN THE NAME OF THE 2ND PETITIONER
- EXT.P3. TRUE COPY OF THE BASIC TAX RECEIPT ISSUED BY THE VILLAGE OFFICER, NEDUMANGADU VILLAGE IN THE NAME OF THE 3RD PETITIONER.
- EXT.P4. TRUE COPY OF THE PROPERTY TAX PAID RECEIPT IN RESPECT OF THE BUILDING BEARING NO.14/67(1) OF NEDUMANGADU MUNICIPALITY.
- EXT.P4(A). TRUE COPY OF THE PROPERTY TAX PAID RECEIPT IN RESPECT OF THE BUILDING BEARING NO.14/67(2) OF NEDUMANGADU MUNICIPALITY.
- EXT.P14(B) TRUE COPY OF THE PROPERTY TAX PAID RECEIPT IN RESPECT OF THE BUILDING BEARING NO.14/67(3) OF NEDUMANGADU MUNICIPALITY.
- EXT.P4(C). TRUE COPY OF THE PROPERTY TAX PAID RECEIPT IN RESPECT OF THE BUILDING BEARING NO.14/67(5) OF NEDUMANGADU MUNICIPALITY.
- EXT.P4(D). TRUE COPY OF THE PROPERTY TAX PAID RECEIPT IN RESPECT OF THE BUILDING BEARING NO.14/67(6) OF NEDUMANGADU MUNICIPALITY.
- EXT.P4(E). TRUE COPY OF THE PROPERTY TAX PAID RECEIPT IN RESPECT OF THE BUILDING BEARING NO.14/67(7) OF NEDUMANGADU MUNICIPALITY.
- EXT.P5. TRUE COPY OF THE ORDER NO. TPI-12398 DATED 08/05/2014 ISSUED BY THE RESPONDENT MUNICIPALITY.
- EXT.P6. TRUE COPY OF THE JUDGMENT DATED 13/03/2014 PASSED BY THIS HONOURABLE COURT IN WP(C).NO.4672/2014.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 33353 of 2014

Dated this the 16th day of January, 2015

JUDGMENT

In the light of the ratio laid down in the judgment dated 13.03.2014 in W.P. (C) No. 4672/2014, 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 P5.

Consequently, the respondent is directed to consider the application of the petitioners' 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/-