

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. 33421 of 2014 (C)  
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PETITIONER:  
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ANTONY ALAPPATT, AGED 55 YEARS,  
S/O.FRANCIS KAKKAPPAN, RESIDING AT ALAPPAT HOUSE  
B6/64, KSHB, PARAVATTANI,  
EAST FORT, THRISSUR TALUK AND DISTRICT - 680 005.

BY ADV. SMT.P.K.PRIYA

RESPONDENTS:  
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1. THE CORPORATION OF THRISSUR,  
REPRESENTED BY ITS SECRETARY - 680 001.
2. EXECUTIVE ENGINEER,  
DEPARTMENT OF TOWN PLANNING,  
THRISSUR CORPORATION - 680 001.

R-R1 & R2 BY ADV. SRI.K.P.VIJAYAN  
R1 & R2 BY ADV. SRI.V.N.HARIDAS  
R BY SRI.K.P.VIJAYAN, SC, THRISSUR CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
23-01-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**APPENDIX**

PETITIONER'S EXHIBITS :  
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EXHIBIT P1. SETTLEMENT DEED NO.966/1997 DATED 02.01.1997.

EXHIBIT P2. THE TRUE COPY OF THE REVENUE TAX RECEIPT DATED 29.05.2014  
EVIDENCING THE PAYMENT MADE BY THE PETITIONER.

EXHIBIT P3. THE TRUE COPY OF THE PHOTOS SHOWING THE PRESENT NATURE  
OF THE LAND OF THE PETITIONER AND THE NEIGHBOURING BUILDINGS.

EXHIBIT P4. THE TRUE COPY OF THE PHOTOS SHOWING THE PRESENT NATURE  
OF THE LAND OF THE PETITIONER AND THE NEIGHBOURING BUILDINGS.

EXHIBIT P5. THE TRUE COPY OF THE INFORMATION SEND BY THE 2ND  
RESPONDENT TO THE PETITIONER DATED 06.08.2014.

RESPONDENTS' EXHIBITS: NIL  
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/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

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W.P. (C) No. 33421 of 2014 (C)  
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Dated this the 23<sup>rd</sup> day of January, 2015.

JUDGMENT

In the light of the ratio laid down in Mohammed Abdul Basheer C.P. V. State of Kerala & another (2012 (3) KLT 86), this Court disposes of the writ petition on the same lines applying the ratio laid down by this Court in the said decision, thereby setting aside Ext.P5.

Consequently, the respondents are 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.

