

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 33683 of 2014 (I)

PETITIONER:

T.R.VIJAYAKUMAR, S/O.RAVINDARANATHAN NAIR,
THADATHUMKUZHIYIL HOUSE,
THIRUNAKKARA P.O, KOTTAYAM 686 001.

BY ADV. SRI.RAJESH THOMAS

RESPONDENTS:

1. KARUKACHAL GRAMA PANCHAYATH (SPECIAL GRADE),
KARUKACHAL, MADAPALLY BLOCK, KOTTAYAM DISTRICT
PIN 686 540 REPRESENTED BY ITS SECRETARY.
2. THE SECRETARY
KARUKACHAL GRAMA PANCHAYATH(SPECIAL GRADE),
KARUKACHAL, MADAPPALLY BLOCK, KOTTAYAM DISTRICT
PIN 686 540 REPRESENTED BY ITS SECRETARY.

BY SRI.C.S.MANILAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 33683 of 2014 (I)

PETITIONER'S EXHIBITS:

EXHIBIT P1 TRUE PHOTOCOPY OF SALE DEED NO 1513/2005 OF KARUKACHAL SRO

EXHIBIT P2 TRUE PHOTOGRAPHS OF THE PROERTY COVERED BY EXT.P1 SALE DEED

EXHIBIT P3 TRUE COPY OF THE LAND TAX RECEIPT NO 3256291 DATED 10/06/2014

EXHIBIT P4 TRUE PHTOOCOPY OF THE POSSESSION CERTIFICATE BEARING NO 1743/14 DATED 10/06/2014

EXHIBIT P5 TRUE PHOTOCOPY OF THE APPLICATIONS FOR BUILDING PERMIT SUBMITTED BY THE PETITIONEER

EXHIBIT P6 TRUE COPY OF THE RODER BEARING NO A8-5610/14 DATED 04.12.2014 ISSUED BY THE 2ND RESPONDENT

EXHIBIT P7 TRUE COPY OF THE RELEVANT EXTRACT OF THE DATA BANK

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.33683 of 2014 I

Dated this the 6th day of February, 2015

JUDGMENT

In the light of the ratio laid down in **Revenue Divisional Officer, Fort Kochi v. Jalaja Dileep and another** (2014 (1) KLT 161), the present writ petition is also disposed of on the same lines applying the ratio laid down by this Court in the said decision, thereby quashing Exhibit P6.

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 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

tkv