

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 33691 of 2014 (J)

PETITIONER:

P.G.RAJAN BABU, AGED 63 YEARS,
S/O.GOPALAN, POOVATHOOR VEEDU, PAPPALA,
KILIMANOOR P.O., PAZHAYAKUNNUMMEL VILLAGE,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS:

1. PAZHAYAKUNNUMEL GRAMA PANCHAYAT
REP. BY ITS SECRETARY, KILIMANOOR P.O.,
THIRUVANANTHAPURAM DISTRICT-695 004.
2. SECRETARY, PAZHAYAKUNNUMEL GRAMA
PANCHAYAT, KILIMANOOR P.O.,
THIRUVANANTHAPURAM DISTRICT-695 004.

R1 & R2 BY ADVS. SRI.K.SIJU
SRI.A.MUHAMMED RAFFI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 33691 of 2014 (J)

PETITIONER'S EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE SETTLEMENT DEED NO. 1633/1996 DATED 20/05/1996 OF KILIMANOOR SRO.

EXHIBIT P2: TRUE COPY OF THE POSSESSION CERTIFICATE TO THE PROPERTY OF THE PETITIONER DATED 17/11/2014.

EXHIBIT P3: TRUE PHOTOGRAPHS OF THE PETITIONER'S PROPERTY.

EXHIBIT P4: TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 22/11/2014.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.33691 of 2014 J

Dated this the 19th day of January, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen v. Land Revenue Commissioner** (2010 (2) KLT 617), 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 P4.

Consequently, the respondent Panchayat 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