

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 34208 of 2014 (A)

PETITIONER:

ABDUL RAHIM, S/O. CHELLAPPA ROWTHER,
AGED 54 YEARS, RESIDING AT HEDGRO, KOPPAM,
PALAKKAD- 678 001.

BY ADVS.SRI.S.ANANTHAKRISHNAN
SRI.N.K.SUBRAMANIAN

RESPONDENT:

THE PALAKKAD MUNICIPALITY
REP. BY ITS SECRETARY, PALAKKAD - 678 001.

BY ADVS. SRI.T.C.SURESH MENON
SRI.P.S.APPU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 34208 of 2014 (A)

PETITIONER'S EXHIBITS:

EXHIBIT-P1-TRUE COPY OF THE TAX PAID RECEIPT DATED 24.04.2014.

EXHIBIT-P2-TRUE COPY OF THE POSSESSION CERTIFICATE DATED 24.04.2014.

EXHIBIT-P3-TRUE COPY OF THE REJECTION NOTICE DATED 29.09.2014.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.34208 of 2014 A

Dated this the 7th day of January, 2015

JUDGMENT

In the light of the ratio laid down in **New India Assurance Co. Ltd. v. Ayisha** (2011 (3) KLT 319), 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 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 thereafter 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