

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).No. 34104 of 2015 (K)

PETITIONER(S) :

SUJEESH K.P. AGED 31 YEARS
KALAMULLA PARAMBATH HOUSE, URUVACHAL P.O, MATTANNUR
KANNUR DISTRICT

BY ADV. SRI.CIBI THOMAS

RESPONDENT(S) :

1. MATTANNUR MUNICIPALITY
REPRESENTED BY ITS SECRETARY, MATTANNUR
KANNUR DISTRICT 670 702
2. THE SECRETARY
MATTANNUR MUNICIPALITY, MATTANNUR
KANNUR DISTRICT 670 702
3. THE REVENUE DIVISIONAL OFFICER,
THALASSERY, KANNUR DISTRICT 670 101
4. THE DISTRICT COLLECTOR
KANNUR 670 001

R3-R4 BY ADV.ANITHA RAVINDRAN, SENIOR GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18-
11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE SERVING CERTIFICATE ISSUED BY THE
DEPARTMENT OF DEFENSE
EXHIBIT P2 TRUE COPY OF THE CERTIFICATE ISSUED FROM THE VILLAGE
OFFICER, PAZHASSI
EXHIBIT P3 TRUE COPY OF THE REGISTERED JANMAM ASSIGNMENT DEED NO
947/2013
EXHIBIT P4 TRUE COPY OF THE ORDER DATED 03/09/2013 ISSUED BY
THE MUNICIPALITY
EXHIBIT P5 TRUE COPY OF THE JUDGMENT IN W.P(C) NO 24848/2013
EXHIBIT P6 TRUE COPY OF THE CERTIFICATE DATED 03/08/2015 ISSUED BY THE
LOCAL LEVEL MONITORING COMMITTEE
EXHIBIT P7 TRUE COPY OF THE JUDGMENT DATED 18/08/2015 IN W.P(C) NO 24046
OF 2015
EXHIBIT P8 TRUE COPY OF THE INTIMATION SENT BY THE 2ND RESPONDENT DATED
14/10/2015
EXHIBIT P9 TRUE COPY OF THE PHOTOGRAPHS SHOWING THAT THE SOUTHERN AND
WESTERN ENDS OF THE PROPERTY OF THE PETITIONER ARE PUBLIC ROADS
EXHIBIT P10 TRUE COPY OF THE BUILDING PERMIT ISSUED TO VELLUVAKANDI
RAVEENDRAN, WHO IS HAVING PROPERTY ON THE NORTH-EASTERN SIDE OF THE
PROPERTY OF THE PETITIONER
EXHIBIT P11 TRUE COPY OF THE PHOTOGRAPH OF THE PROPERTY OF VELLUVAKANDI
RAVEENDRAN ON THE NORTH-EASTERN SIDE OF THE PROPERTY OF THE PETITIONER
EXHIBIT P12 TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED FROM THE
PAZHASSI VILLAGE OFFICE
EXHIBIT P13 TRUE COPY OF THE PETITION FILED BEFORE THE 3RD RESPONDENT

RESPONDENT(S) ' EXHIBITS

NIL

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 34104 of 2015

Dated this the 18th day of November, 2015

JUDGMENT

The property has admittedly not been included in the data bank. The mere fact that the property has been described as wet land in the document of title is of no consequence. The petitioner asserts that Ext.P10 building permit has been granted in relation to the neighbouring property. There is justification in the contention of the petitioner that he is entitled to a similar treatment.

2. I quash Ext.P8 order and direct the second respondent to reconsider the application for building permit put in by the petitioner. I direct the second respondent to pass orders anew advertent to Ext.P7 judgment as also Ext.P10 building permit within a period of two months.

The writ petition is disposed of as above.

sks

V.CHITAMBARESH, JUDGE