

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

WP(C).No. 34349 of 2014 (P)

PETITIONER(S):

**KHALEEL RAHMAN, S/O.ABDUL JABBAR,
AGED 54 YEARS, SAMEENA MANZIL,
21/506, VENNAKKARA, NOORANI P.O.,
PALAKKAD-678 004.**

**BY ADVS.SRI.BINOY VASUDEVAN,
SMT.P.G.BABITHA.**

RESPONDENT(S):

- 1. THE PALAKKAD MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
MUNICIPAL OFFICE, PALAKKAD-678 101.**
- 2. THE SECRETARY,
PALAKKAD MUNICIPALITY, PALAKKAD-678 101.**
- 3. DISTRICT TOWN PLANNER,
OFFICE OF THE DISTRICT TOWN PLANNER,
PALAKKAD-678 101.**

**R1 & R2 BY ADVS. SRI.T.C.SURESH MENON,
SRI.P.SAPPU.
R3 BY GOVT. PLEADER SMT.SANJEETHA. K.A.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 34349 of 2014 (P)

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1: TRUE COPY OF DOCUMENT NO.732/2013 OF S.R.O., PALAKKAD.

EXHIBIT P2: TRUE COPY OF LATEST LAND TAX RECEIPT.

EXHIBIT P3: TRUE COPY OF THE POSSESSION CERTIFICATE.

**EXHIBIT P4: TRUE COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT
DATED 26/11/2014.**

EXHIBIT P5: TRUE COPY OF THE JUDGMENT IN WP(C).NO. 16463/2010.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 34349 of 2014

Dated this the 06th day of January, 2015

JUDGMENT

In the light of the ratio laid down in the judgment dated 13.10.2011 in W.P. (C) No. 16463 of 2010, this Court disposes of the present writ petition on the same lines, quashing Exhibit P4 order.

2. Consequently, the respondent Municipality is directed to consider the application for building permit submitted by the petitioner 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. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the respondent for further action.

The writ petition is disposed of as above. It is made clear that the judgment passed by this Court does not stand in the way of implementation of any Scheme or to acquire the property for any public purpose in future.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-