

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 34408 of 2014 (A)

PETITIONER :

**SHAHUL HAMEED,
S/O.PUTHIYAVEETIL MOORKOTHKANDI KADER HAJI,
PERINGATHOOR.P.O, KANNUR DISTRICT.**

**BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.**

RESPONDENT(S):

- 1. KARIYAD GRAMA PANCHAYATH,
KARIYAD SOUTH .P.O., KANNUR DISTRICT,
REPRESENTED BY THE SECRETARY.**
- 2. THE SECRETARY, KARIYAD GRAMA PANCHAYATH,
KARIYAD SOUTH.P.O., KANNUR DISTRICT.**

R1 & R2 BY ADV. SRI.CIBI THOMAS

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).NO.34408/2014

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE GIFT DEED NO.1406/2004 OF CHOKLI SRO.**
- P2 COPY OF THE PHOTOGRAPHS OF PETITIONER'S PROPERTY AND ADJOINING PROPERTIES.**
- P3 COPY OF THE RECEIPT DATED 25/11/2014 ISSUED BY THE 2ND RESPONDENT**
- P4 COPY OF THE ORDER DATED 28/11/2014 ISSUED BY THE 2ND RESPONDENT**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 34408 of 2014

Dated this the 29th day of January, 2015

JUDGMENT

In the light of the ratio laid down in **Gopalakrishnan v. State of Kerala** [2011 (3) KLT 317], 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 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 thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this judgment.

DAMA SESHADRI NAIDU
JUDGE

DMR/-