

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 34582 of 2014 (W)

PETITIONER:

TOGY UKKAN, AGED 47 YEARS,
S/O.KUNHIPALU, RESIDING AT UKKAN HOUSE,
MULLASSERY P.O., THRISSUR-680 509.

BY ADVS.SRI.T.C.SURESH MENON
SRI.P.S.APPU
SRI.A.R.NIMOD
SMT.P.S.REMYA

RESPONDENTS:

1. THE THRISSUR CORPORATION,
REPRESENTED BY ITS SECRETARY, CORPORATION OFFICE,
THRISSUR-680 001.
2. THE ASSISTANT ENGINEER,
THRISSUR CORPORATION, ZONAL OFFICE, OLLUKKARA,
THRISSUR-680 655.

R1-R2 BY ADV. SRI.K.P.VIJAYAN
R1-R2 BY ADV. SRI.V.N.HARIDAS
R BY SRI.K.P.VIJAYAN,SC,THRISSUR CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 34582 of 2014 (W)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 :TRUE COPY OF THE TAX RECEIPT ISSUED BY THE VILLAGE OFFICE,
OLLUKKARA DT.29-4-14.

EXT.P2 :TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE VILLAGE
OFFICE, OLLUKKARA TO THE PETITIONER DT.26-11-14.

EXT.P3 :TRUE COPY OF THE ORDER PASSED BY THE RESPONDENT TO THE
PETITIONER DT.10-12-14.

EXT.P4 :TRUE COPY OF THE JUDGMENT IN WPC 18776/14 ON THE FILE OF THIS
HONOURABLE COURT DT.22-7-14.

RESPONDENTS' EXHIBITS: NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 34582 of 2014 W

Dated this the 8th day of January, 2015.

JUDGMENT

In the light of the ratio laid down in Gopalakrishnan v. State of Kerala (2011 (3) KLT 317), this Court disposes of the writ petition on the same lines applying the ratio laid down by the learned Division Bench in the said decision, thereby setting aside Ext.P3.

Consequently, the 1st respondent is directed to consider the petitioner's application for building permission afresh, if necessary, by referring the matter to the District Town Planner, after subjecting the land in question to physical verification, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within one month from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

