

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

WP(C).No. 34581 of 2015 (W)

PETITIONER:

NOORJAHAN K.V., AGED 50 YEARS,
W/O. HARIS P.T, OCHERI HOUSE,
PARAMBIL P O, KOZHIKODE 673012.

BY ADV. SRI.YASH THOMAS MANNULLY

RESPONDENTS:

1. KOZHIKODE MUNICIPAL CORPORATION,
REP. BY ITS SECRETARY, BEACH ROAD,
KOZHIKODE 673 032.

2. SECRETARY,
KOZHIKODE MUNICIPAL CORPORATION,
BEACH ROAD, KOZHIKODE 673 032.

R1-R2 BY ADV. SRI.K.D.BABU, SC, KOZHIKODE CORPORATION

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17-12-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 :- TRUE COPY OF THE TAX RECEIPT DTD 1/9/2015 ISSUED BY THE
VILLAGE OFFICER, NAGARAM
- EXHIBIT P2 :- TRUE COPY OF THE POSSESSION CERTIFICATE DTD 1/9/2015
ISSUED BY THE VILLAGE OFFICER, NAGARAM
- EXHIBIT P3 :- TRUE COPY OF THE ORDER DTD 4/11/2015 ISSUED BY THE
ASSISTANT ENGINEER
- EXHIBIT P4 :- TRUE COPY OF THE JUDGMENT DTD 2/11/2015 IN WPC NO
31684/2015 BEFORE THIS HON'BLE COURT

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

ncd

V. CHITAMBARESH, J

W.P.(C). NO. 34581 OF 2015

Dated this the 17th day of December, 2015

JUDGMENT

The mere proposal for road widening is not reason enough for declining the building permit sought by the petitioner. The issue is covered by Ext.P4 judgment in W.P.(C).No. 31684/2015. Ext. P3 order declining building permit is therefore liable to be quashed and I do so.

2. I direct the second respondent to reconsider the application for building permit put in by the petitioner. The same shall be done with notice to the petitioner within a period of one month.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS