

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 35028 of 2014 (C)

PETITIONER(S) :

THARAMMEL MAMMACHUTTY, AGED 70 YEARS,
W/O KUNHALI (LATE), KIZHAKKEPARAMBIL HOUSE,
PALLIYARAMKUNNATH, CHEEKODE P.O, MALAPPURAM DISTRICT

BY ADVS.SRI.K.SHIBILI NAHA
SRI. SAJU RAGHAVAN

RESPONDENT(S) :

1. CHEEKODE GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, CHEEKODE P.O
MALAPPURAM DISTRICT

2. THE SECRETARY,
CHEEKODE GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, CHEEKODE P.O
MALAPPURAM DISTRICT

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 35028 of 2014 (C)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE JENMOM ASSIGNMENT DEED NO 2531/12 OF
VAZHAKKAD S.R.O
EXHIBIT P2 TRUE COPY OF THE TAX RECEIPT
EXHIBIT P3 TRUE COPY OF THE POSSESSION CERTIFICATE
EXHIBIT P4 TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT (NO A2
3510/2014(302/14-15) DATED 07-10-2014
EXHIBIT P5 PHOTOGRAPHS DEPICTING THE NATURE AND LIE OF THE PROPERTY

RESPONDENT(S) ' EXHIBITS
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NIL

/TRUE COPY/

P.S TO JUDGE.

DAMA SESHADRI NAIDU, J.

W.P.(C).No. 35028 OF 2014

Dated this the 12th day of February, 2015

JUDGMENT

In the light of the ratio laid down in Praveen v. Land Revenue Commissioner (2010 (2) KLT 617), 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 one month from the date of receipt of a copy of this Judgment.

Sd/-

**DAMA SESHADRI NAIDU,
Judge.**

dpk

/True copy/ PS to Judge.

dpk

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

: 3 :