

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

WP(C).No. 35221 of 2014 (C)

PETITIONER:

RAMESH K.R., AGED 34 YEARS
S/O. K.C. RAJAN, KODAKKAD HOUSE, KINNAVALLUR POST,
PARALI, PALAKKAD DISTRICT.

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENT:

PALAKKAD MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE,
PALAKKAD-678 001.

R. BY ADV. SRI.T.C. SURESH MENON
R. BY ADV. SRI.P.S.APPU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 35221 of 2014 (C)

APPENDIX

PETITIONER'S EXHIBITS :

P1. TRUE COPY OF THE SALE DEED NO. 1787/2005 OF SRO, PALAKKAD.

P2. TRUE COPY OF THE ORDER PASSED BY THE RESPONDENT DATED 2-1-2014
IN EJBR/589/13-14/PW5.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

rv

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 35221 of 2014 (C)

Dated this the 27th day of January, 2015.

JUDGMENT

In the light of the ratio laid down in Praveen v. Land Revenue Commissioner (2010 (2) KLT 617) and an unreported judgment of this Court in W.P.(C) No. 23596 of 2013, this Court disposes of the writ petition on the same lines applying the ratio laid down in the aforesaid decisions, thereby setting aside Ext.P2.

Consequently, the 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.

