

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No.35519 of 2014 (L)

PETITIONER:

**SAIDU MUHAMMED.P.M.,S/O.MOOSA MUSLIYAR,
POKKAKKILLATHU HOUSE,THALIKKULAM P.O.,
THRISSUR-680569.**

BY ADV. SRI.K.M.NASARUDHEEN

RESPONDENTS:

- 1. THALIKKULAM GRAMA PANCHAYATH,
REP.BY ITS SECRETARY,PANCHAYATH OFFICE,
P.O.THALIKKULAM,THRISSUR DISTRICT-680569.**
- 2. THE SECRETARY,THALIKKULAM GRAMA PANCHAYATH,
PANCHAYATH OFFICE,P.O.THALIKKULAM,
THRISSUR DISTRICT-680569.**
- 3. DISTRICT COLLECTOR,THRISSUR DISTRICT,
COLLECTORATE,THRISSUR,PIN-680001.**

R1 BY SRI.K.I.SAGEER.

R3 BY GOVT. PLEADER SRI.G.GOPAKUMARAN.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.35519 of 2014 (L)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT-P1:A TRUE COPY OF THE SALE DEED NO.1183/1 OF SRO,
VATANAPPILLY DT. 3.8.1992.**

**EXHIBIT-P2:A TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE
VILLAGE OFFICER,THALIKKULAM VILLAGE TO THE PETITIONER
DT.26.12.2013.**

**EXHIBIT-P3:A TRUE COPY OF THE APPLICATION FOR BUILDING PERMIT
SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT
DT.27.05.2014.**

EXHIBIT-P4:A TRUE COPY OF THE PLANT OF THE PROPOSED BUILDING.

**EXHIBIT-P5:A TRUE COPY OF THE COMMUNICATION ISSUED BY THE 1ST
RESPONDENT AS LETTER NO.A1-3705/14 DT 08.12.2014.**

**EXHIBIT-P6:A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE 3RD RESPONDENT.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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DAMA SESHADRI NAIDU, J.

W.P.(c) No. 35519 of 2014

Dated this the 19st 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 P5.

2. 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.

DAMA SESHADRI NAIDU
JUDGE

DMR/-