

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

WP(C).No. 36311 of 2015 (L)

PETITIONERS:

1. P.SYED MUHAMMED, AGED 54 YEARS,
S/O.KADER HAJI, THAYYIL HOUSE,
THEKKEN KUTTOOR AMSOM,
VENGANOOR DESOM, TIRUR TALUK,
MALAPPURAM DISTRICT.
2. T.KADER HAJI, AGED 82 YEARS,
S/O.KUNHIMUHAMMED KURIKKAL, THAYYIL HOUSE,
THEKKEN KUTTOOR AMSOM, VENGANOOR DESOM,
TIRUR TALUK, MALAPPURAM DISTRICT.

BY ADVS.SRI.T.KRISHNANUNNI (SR.)
SRI.VINOD RAVINDRANATH
SMT.MEENA.A.
SRI.SAJU.S.A
SRI.K.C.KIRAN
SRI.M.DEVESH
SRI.VINAY MATHEW JOSEPH

RESPONDENTS:

1. TIRUR MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
POST TIRUR, MALAPPURAM DISTRICT, PIN-676101.
2. SECRETARY, TIRUR MUNICIPALITY,
POST TIRUR, MALAPPURAM DISTRICT PIN-676101.
3. DISTRICT TOWN PLANNER,
MALAPPURAM PIN-676 505.

BY SENIOR GOVERNMENT PLEADER SMT. SANJEETHA K.A.
R1 & R2 BY SRI.P.K.VIJAYAMOHANAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE APPLICATION FOR BUILDING PERMIT FILED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT MUNICIPALITY DATED 08.10.2014
- EXHIBIT P2 THE TRUE COPY OF THE CERTIFICATE ISSUED BY DIVISIONAL RAILWAY MANAGER DATED 7.1.2014
- EXHIBIT P3 THE TRUE COPY OF THE COMMUNICATION FROM THE 2ND RESPONDENT DATED 5.1.2015.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.S. TO JUDGE.

ncd

V.CHITAMBARESH, J.

W.P (C) No.36311 of 2015

Dated this the 14th day of December, 2015

J U D G M E N T

Ext.P3 order declining the building permit was passed without notice to the applicants/petitioners. I quash Ext.P3 order as one passed in violation of the principles of natural justice.

2. The second respondent shall pass orders anew after notice to the petitioners within a period of one month. The petitioners are free to submit a revised plan if necessary to be in tune with the proposed acquisition for road.

The Writ Petition is disposed.

Sd/-
V.CHITAMBARESH,
Judge.

nj/14.12.15