

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. 38326 of 2015 (M)

PETITIONER:

M.I. THARU, AGED 46 YEARS, S/O. INASU,
8/125, NELLIKKUNNU, EAST FORT, THRISSUR - 5.

BY ADVS. SRI. ROBSON PAUL
SRI. K.A. SREEJITH

RESPONDENTS:

1. THRISSUR MUNICIPAL CORPORATION,
CORPORATION OFFICE, THRISSUR
REPRESENTED BY ITS SECRETARY.
2. SECRETARY, THRISSUR MUNICIPAL CORPORATION,
CORPORATION OFFICE, THRISSUR.
3. ASSISTANT ENGINEER, OLLUR REGIONAL OFFICE,
THRISSUR MUNICIPAL CORPORATION, THRISSUR.

BY SRI. KODOTH SREEDHARAN, SC, THRISSUR CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF ASSIGNMENT DEED NO. 4352/2013 OF THE SUB REGISTRAR OFFICE, KUTTANELLORE DATED 28.07.2012.
- EXHIBIT P2 : THE TRUE COPY OF REJECTION ORDER ISSUED TO PETITIONER.
- EXHIBIT P3 : THE TRUE COPY OF PHOTOGRAPH OF RESIDENTIAL BUILDING IN PETITIONER'S PLOT.
- EXHIBIT P4 : THE TRUE COPY OF PHOTOGRAPH OF RESIDENTIAL BUILDING IN IMMEDIATE NORTHERN PLOT OF PETITIONER'S PROPERTY.
- EXHIBIT P5 : THE TRUE COPY OF PHOTOGRAPH OF RESIDENTIAL BUILDING IN IMMEDIATE SOUTHERN PLOT OF PETITIONER'S PROPERTY.
- EXHIBIT P6 : TRUE COPY OF PHOTOGRAPH OF RESIDENTIAL BUILDING IN IMMEDIATE EASTERN PLOT OF PETITIONER'S PROPERTY.
- EXHIBIT P7 : TRUE COPY OF PHOTOGRAPH OF ROAD LYING THROUGH WESTERN SIDE OF PETITIONER'S PROPERTY.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.38326 of 2015

Dated this the 17th day of December, 2015

J U D G M E N T

Ext.P2 order declining building permit to the petitioner was obviously not preceded by a local inspection. The lie of the land and the existence if any of buildings around have to be verified in dealing with such application.

2. I quash Ext.P2 order to enable a re-consideration of the application for building permit. The same shall be done by the second respondent with notice to the petitioner within a period of one month.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj/17.12.15