



2025:KER:31628

W.P.(C). No.30530 of 2021

: 1 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 30530 OF 2021

PETITIONER:

BINDU SOMAN
AGED 41 YEARS
W/O.SOMAN, ODATTIL HOUSE, PATHIYARKULANGARA P.O.,
THRISSUR DISTRICT 680 552

BY ADVS.
K.R.ARUN KRISHNAN
E.S.SREELAL
DEEPA K.RADHAKRISHNAN

RESPONDENTS:

- 1 STATE OF KERALA
REP.BY ITS SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001
- 2 MULLASSERY GRAMA PANCHAYATH
REP.BY ITS SECRETARY, HAVING OFFICE AT MULLASSERRY
GRAMA PANCHAYATH OFFICE, KANJANY, PERINGOTTUKARA
ROAD, MULLASSERY, THRISSUR DISTRICT 680 509
- 3 REVENUE DIVISIONAL OFFICER
THRISSUR, COLLECTORATE, AYYANTHOLE, THRISSUR
DISTRICT, PIN 680 003



2025:KER:31628

W.P.(C). No.30530 of 2021

: 2 :

- 4 LOCAL LEVEL MONITORING COMMITTEE
 (REP.BY ITS CONVENER, AGRICULTURAL OFFICER), KRISHI
 BHAVAN, MULLASERRY, PERUVALLOOR P.O., THRISSUR
 DISTRICT, PIN 680 508

- 5 AGRICULTURAL OFFICER
 KRISHI BHAVAN, MULLASERRY, PERUVALLOOR P.O.,
 THRISSUR DIST. PIN 680 508

BY ADV RAJIT

OTHER PRESENT:

GP- RIYAL DEVASSY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



2025:KER:31628

W.P.(C). No.30530 of 2021

: 3 :

VIJU ABRAHAM, J.

W.P.(C) No.30530 of 2021

Dated this the 10th day of April, 2025

JUDGMENT

The petitioner has approached this Court challenging Ext.P6 order whereby the request made by the petitioner for the issuance of a building permit for executing some extension work in the existing residential building was declined stating that the property is included in the data bank.

2. The learned Government Pleader would submit that since the property is included in the data bank, the petitioner has to approach the concerned authority by filing appropriate application to remove the property from the data bank.

Taking into consideration the above facts and circumstances, I am inclined to dispose of the writ petition as follows:

1. The petitioner shall file necessary application in Form No.5 before the 3rd respondent/authorised Officer within a period of one month from the date of receipt of a copy of this judgment.



2025:KER:31628

W.P.(C). No.30530 of 2021

: 4 :

2. If such an application is filed by the petitioner, the 3rd respondent/authorised officer shall consider the same, after obtaining necessary reports from the Agricultural Officer etc., and pass orders on the said application within an outer limit of three months from the date of receipt of such application.
3. If the decision is in favour of the petitioner, a decision shall be taken on the application submitted by the petitioner before the 2nd respondent seeking building permit for undertaking extension work in the existing residential building, without any delay.

Sd/-
VIJU ABRAHAM
JUDGE

sm/



2025:KER:31628

W.P.(C). No.30530 of 2021

: 5 :

APPENDIX OF WP(C) 30530/2021

PETITIONER EXHIBITS

- | | |
|-------------------|---|
| Exhibit P1 | TRUE COPY OF THE BUILDING PERMIT NO.A3-09/2011-12 ISSUED BY THE SECRETARY OF MULLASSERY GRAMA PANCHAYATH |
| Exhibit P2 | A TRUE COPY OF NO-OBJECTION CERTIFICATE DATED 9.3.2007 ISSUED BY THE SECRETARY OF MULLASSERY GRAMA PANCHAYATH |
| Exhibit P3 | A TRUE COPY OF OWNERSHIP CERTIFICATE DATED 21.10.2021 ISSUED BY THE SECRETARY OF MULLASSERY GRAMA PANCHAYATH |
| Exhibit P4 | A TRUE COPY OF PROPERTY TAX RECEIPT DATED 18.10.2021 ISSUED BY THE SECRETARY OF MULLASSERY GRAMA PANCHAYATH |
| Exhibit P5 | A TRUE COPY OF BUILDING PLAN FOR THE EXTENSION OF EXISTING BUILDING SUBMITTED BY THE PETITIONER ALONG WITH THE APPLICATION FOR BUILDING PERMIT |
| Exhibit P6 | A TRUE COPY OF COMMUNICATION DATED 5.1.2021 ISSUED BY THE SECRETARY MULLASSERY GRAMA PANCHAYATH |