ITEM NO.16 COURT NO.9 SECTION XIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12957/2011

(From the judgement and order dated 29/03/2011 in WA No.91/2011 of The HIGH COURT OF KERALA AT ERNAKULAM)

PURAVANKARA PROJECTS LTD. Petitioner(s)

VERSUS

MEETHIAN KUNJU M.M. & ORS. Respondent(s)
(With office report)
(FOR FINAL DISPOSAL)

Date: 24/04/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s) Mr. V. Giri, Sr.Adv.
Mr. Joshua Samuel,Adv.
Mr. Sudeep D. Cecil,Adv.
Mr. Tayenjam Momo Singh,Adv.
Mr. Mohammed Sadique T.A.,Adv.

For Respondent(s) Mr. Siddhartha Dave,Adv.
Mr. Sajith. P ,Adv

Mr. K. Rajeev,Adv.

Ms. Bina Madhavan ,Adv

UPON hearing counsel the Court made the following
O R D E R

After having heard learned senior counsel for the petitioner and after having heard learned counsel for respondents at length and after perusing the record, we are of the considered opinion that no case for interference is made out against the impugned

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order passed by the Division Bench of the High Court. The Special Leave Petition is accordingly dismissed.

However, we would only like to clarify that the petitioner herein would be still at liberty to apply under Rule 15-A of the Kerala Municipality Building Rules, 1999 to the prescribed Authority/Authorities. Once such an application is moved by the petitioner, then the prescribed Authority/Authorities will decide it in accordance with law at an early date on merits without being influenced by any of the observations made by the Division Bench in the impugned order.

The petitioner would be at liberty to file such an application within a period of 30 days from today under intimation to the respondents.

Prescribed Authority/Authorities thereafter would fix the matter for hearing of the parties. In that event, the original petitioners would also get an opportunity of hearing.

(KUSUM SYAL)
SR.P.A

(INDU SATIJA)
COURT MASTER