

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil)...../2008
CC 15533 / 2008

(From the judgement and order dated 04/07 / 2 008 in W A No. 495/2008
of the H I G H C O U R T O F K E R A L A AT E R N A K U L A M)

BA B U JOHN Petitioner(s)

VE R S U S

STAT E OF K E R A L A & O R S. Respondent(s)

With I.A. No.1 (C/delay in filing SL P)

Date: 20/02 / 2 009 This Petition was called on for hearing today.

COR A M : HON' B L E M R. JUST I C E R.V. RA V E E N D R A N
HON' B L E M R. JUST I C E J.M. PA N C H A L

For Petitioner(s) Mr. Jayant Muthuraj, Adv.
Mr. P.S.Sudheer,Adv.

For Respondent(s)

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

Delay condoned.

No ground is made out for interference under Article 136 of
the Constitution of India. The special leave petition is dismissed.

Learned counsel for the petitioner voices an apprehension that
condition No.2 imposed by the Collector in the order dated 22.1.2008
may be construed as permitting him to level the land only to the extent
to be covered by the actual plinth of the building and he cannot level
the area surrounding the proposed house or the access area. It is
always open to him to seek permission to have the land appurtenant to
the house and access area also levelled.

(Ravi P. Verma) (Anand Singh)
Court Master Assistant Registrar