
(2021) 09 KL CK 0035

In the High Court Of Kerala

Case No : Writ Petition (C) No.28536 Of 2014

Mohanan

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 03-09-2021

Acts Referred:

Citation : (2021) 09 KL CK 0035

Hon'ble Judges : Murali Purushothaman, J

Bench : Single Bench

Advocate : G.Sreekumar, V.N.Haridas, Santhosh P.Poduval,
K.P.Vijayan, .C.D.Dileep

Final Decision : Disposed Of

Judgement

Murali Purushothaman, J

1. The writ petition is filed for a direction to the 2nd respondent Corporation to see that no illegal constructions are permitted at the instance of the 3rd respondent.

2. A counter affidavit has been filed by the 2nd respondent Corporation. Paragraphs 'b' and 'c' of the counter affidavit reads as under:-

b. It was under the above circumstances the Corporation had asked the 3rd respondent to totally demolish and remove the old structure as it was also found to be dangerous if allowed to remain in the same condition.

c. It is respectfully submitted that the Corporation had not only rejected the permission sought for renovation but also has not granted any permission for reconstruction. As a matter of fact the 3rd respondent has not given any application for reconstruction of a new building in the property. As a matter of fact no construction and/or renovation activity is being done in the premises.

3. The learned Counsel for the 3rd respondent submitted that the 3rd respondent has subsequently carried out the construction on the basis of a permit issued by

the 2nd respondent Corporation. If the petitioner is aggrieved by such construction, it is for the petitioner to seek appropriate remedies in accordance with law.

In view of the aforeextracted paragraphs of the counter affidavit filed on behalf of the 2nd respondent, the writ petition is disposed of.