
(2023) 11 KL CK 0189
In the High Court Of Kerala
Case No : Writ Petition (C) No. 38188 Of 2023

Selvin .S

APPELLANT

Vs

Guruvayoor Municipality

RESPONDENT

Date of Decision : 17-11-2023

Acts Referred:

Citation : (2023) 11 KL CK 0189

Hon'ble Judges : Bechu Kurian Thomas, J

Bench : Single Bench

Advocate : P.Ramachandran, V.N.Haridas

Final Decision : Disposed Of

Judgement

Bechu Kurian Thomas, J

1. Petitioner was in occupation of a shop room as a tenant. He claims that one of the co-owners of the property had executed a lease deed in her favour, copy of which is produced as Ext.P4, permitting the petitioner to occupy the building as a tenant. Thereafter, he applied for the grant of license to the respondent-Municipality on 10.03.2023. The said application has neither been rejected nor returned as defective. It was hence submitted that the deeming provision under the Municipality Act applies and that he is entitled for grant of license as applied for. Petitioner however submitted that he would be satisfied if a direction is issued to consider his application for licence in a time bound manner.

2. Having heard the learned Counsel for the petitioner and the learned Standing Counsel for the respondent, I am of the view that the writ petition can be disposed of with a direction. Even though petitioner has raised a contention regarding deemed license, since it is submitted that the petitioner would be satisfied with a direction to consider the application for license in a time bound manner, this Court deems it fit to issue such a direction.

3. Hence, there will be a direction to the 2nd respondent to consider the

applicaiton filed by the petitioner dated 10.03.2023, as expeditiously as possible at any rate, within a period of 30 days from the date of receipt of a copy of this judgment. The question regarding deemed license is kept open to be considered later. Coercive proceedings pursuant to Ext.P6 will be kept in abeyance till a decision is taken.

The writ petition is disposed of accordingly.