

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

Con.Case(C).No. 589 of 2014 (S) IN WP(C).17781/2011

AGAINST THE ORDER/JUDGMENT IN WP(C) 17781/2011 of HIGH COURT OF KERALA
DATED 28-02-2013

PETITIONER(S)/PETITIONER:

LEENA JOGESH
W/O. LATE JOGEZH
REPRESENTED BY POWER OF ATTORNEY HOLDDR
JACKON LOUIS, AGED 49 YEARS, S/O.P.C. LOUIS
PURTHUSSERY HOUSE, KOTTAPARAMPIL
VADAKKANCHERY VILLAGE, VADAKKANCHERY P.O.
ALATHUR TALUK, PALAKKAD DISTRICT - 678 683.

BY ADV. SRI.JOHN JOSEPH(ROY)

RESPONDENT(S)/RESPONDETNS 3 , 4 AND 5:

1. K.RAMACHANDRAN IAS
AGED 54 YEARS, S/O. NOT KNOWN, COLLECTOR
CIVIL STATION, PALAKKAD - 687 001.

2. AJITHAKUMAR
S/O.NOT KNOWN, AGED ABOUT 50 YEARS, TAHSILDAR
TALUK OFFICE, ALATHUR TALUK
PALAKKAD DISTRICT - 678 541.

3. AMBIKA KUMARI
W/O.NOT KNOWN AGED ABOUT 51 YEARS
ADDITIONAL TAHSILDAR, TALUK OFFICE, ALATHUR TALUK
PALAKKAD DISTRICT - 678 541.

R, BY GOVERNMENT PLEADER SHRI ALOYSIUS THOMAS

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD
ON 03-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. RAMACHANDRAN NAIR, J.

C.O.(C) No.589 of 2014

Dated this the 3rd day of September, 2015

JUDGMENT

Alleging non compliance of the directions issued in Annexure A1 judgment, this Contempt Case is filed. This Court directed the District Collector to finalise the proceedings within a period of five months. Thereafter, the District Collector has taken a decision as evident from Annexure R2(a) produced along with the affidavit dated 10.10.2014. The substantial contention now projected is that the reasons stated in Annexue R2(a) for not conducting a joint survey, is not correct.

2. Learned Government Pleader submitted that the reasons for the inability to conduct a joint survey have been clearly stated in the above order. According to the learned counsel for the petitioner, the petitioner has again filed a representation before the District Collector, as per Annexure A4 produced along with the reply affidavit.

3. The learned Government Pleader further submitted that the petitioner will have to produce the title deeds and satisfy the claim for

enabling consideration of his application.

4. Shri John Joseph, learned counsel for the petitioner submitted that a joint survey is possible, as per the instructions furnished by the parties. The District Collector will offer a hearing to the petitioner and will find out whether a joint survey is possible after analysing the documents to be made available by the petitioner.

Therefore, the Contempt Case is disposed of by permitting the petitioner to approach the District Collector and pursue Annexure A4 petition and the District Collector will consider the contentions raised therein.

(T.R. RAMACHANDRAN NAIR, JUDGE.)

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