

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

OP(C).No. 89 of 2015 (O)

OS. NO. 459/2011 OF MUNSIF COURT-IV, THIRUVANANTHAPURAM.

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PETITIONER/PLAINTIFF:

**DANIEL LAZAR, S/O.DANIEL,
AGED 72 YEARS, LAZAR BUNGLOW,
PATHIRAPALLY, KUDAPAKKUNNU P.O.,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY,
SMT.K.R.RIJA.**

RESPONDENT/DEFENDANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY TO
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR OF SURVEY AND LAND RECORDS,
SURVEY DIRECTORATE, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695 001.**
- 3. BIJU PRABHAKARAN, VIGILANCE WING,
SURVEY DIRECTORATE, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695 001.**
- 4. THE VILLAGE OFFICER,
KUDAPANNAKUNNU VILLAGE,
PARASSALA P.O., THIRUVANANTHAPURAM-695 001.**

R1, R2 & R4 BY GOVT. PLEADER SRI.C.K. JAYAKUMAR.

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 13-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP(C).No. 89 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 COPY OF THE PLAINT IN O.S.459/2011 ON THE FILE OF
MUNSIFF COURT-IV, THIRUVANANTHAPURAM.

EXT.P2 COPY OF THE WRITTEN STATEMENT IN O.S.459/2011 ON
THE FILE OF THE MUNSIFF COURT-IV, THIRUVANANTHAPURAM.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P. BHAVADASAN, J.

O.P.(C). No. 89 of 2015

Dated this the 13th day of January, 2015.

JUDGMENT

This is a petition filed under Article 227 of the Constitution of India seeking a direction from this Court to Munsiff's Court, Thiruvananthapuram to take up and dispose of O.S. 459 of 2011 as early as possible.

2. The petitioner points out that O.S. 459 of 2011 is a suit seeking declaration of title, possession and ratification of survey records and for other consequential reliefs. The petitioner points out that the pleadings are complete and suit is ripe for trial. According to the petitioner, there is some urgency in the matter since his rights are affected. He therefore prays for an early disposal of O.S. 459 of 2011.

3. In the nature of the order that is proposed to be passed in this Original Petition, it is felt that notice to the respondent appears to be unnecessary.

In the result, this Original Petition is allowed and there will be a direction to Munsiff's Court, Thiruvananthapuram to take up O.S. 459 of 2011 and dispose it of as expeditiously as possible, at any rate, before summer vacation commences, provided all steps are complete and parties co-operate.

P. BHAVADASAN,
JUDGE

sb.