

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

OP(C).No. 300 of 2015 (O)

(OS 166/1997 of SUB COURT, PALAKKAD)

PETITIONER:

SRI CHATHANKULANGARA BHAGAVATHY DEVASWOM,
AKATHETHARA, PALAKKAD-678 008, REPRESENTED BY ITS
MANAGER K.BHANU

BY ADVS.SRI.P.B.KRISHNAN
SRI.P.M.NEELAKANDAN
SRI.P.B.SUBRAMANYAN
SRI.SABU GEORGE

RESPONDENT:

NAIR SERVICE SOCIETY
REPRESENTED BY ITS GENERAL SECRETARY
N.S.S. HEAD QUARTERS, CHANGANACHERRY, PIN-686 101.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C).No. 300 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 - TRUE COPY OF THE PLAINT IN OS.NO.166 OF 1997 ON THE FILE OF
THE SUBORDINATE JUDGE'S COURT, PALAKKAD DATED 1-5-1997.

EXT.P2 - TRUE COPY OF THE WRITTEN STATEMENT IN OS.NO.166 OF 1997
ON THE FILE OF THE SUBORDINATE JUDGE'S COURT, PALAKKAD
DATED 30-6-1998.

RESPONDENT(S)' EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.300 OF 2015

Dated this the 4th day of February, 2015.

J U D G M E N T

The limited prayer in this petition under Article 227 of the Constitution of India is for a direction to the Land Tribunal, Palakkad to dispose of the reference application namely, R.C.No.1/2000 pending before it within a time limit fixed by this Court.

2. It is unnecessary to go into the facts of the case for the simple reason that the question of tenancy has to be determined by Land Tribunal. The civil court which was seized of the matter in which issue of tenancy was raised referred the issue to Land Tribunal for decision under Section 125(3) of the Kerala Land Reforms Act. The grievance is that even though reference was made in 2000, till today nothing much has transpired and that causes irreparable loss and injury to the petitioner.

3. In the nature of the order that is proposed to be passed, it is felt that notice to the respondent is unnecessary.

This original petition is allowed. The Land Tribunal, Palakkad is directed to take up R.C.No.1/2000 and dispose it of as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment.

Sd/-

**P.BHAVADASAN
JUDGE**

smp