

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

OP(C).No. 703 of 2015 (O)

(SM.NO. 251/2006 OF LAND TRIBUNAL, KANNUR)

PETITIONER :

ALAKKAL JANAKI, AGED 75 YEARS,
D/O. GOPALAN NAIR, THALICHAL, KARIPAL.P.O.,
VELLORA AMSOM, KARIPAL DESOM, TALIPARAMBA TALUK,
KANNUR DISTRICT-670 581

BY ADVS.SRI.O.V.MANIPRASAD
SRI.JOSE ANTONY

RESPONDENT(S):

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1. THE DEPUTY COLLECTOR (LAND TRIBUNAL)
(DEVASWOMS), CIVIL STATION, KANNUR-670 001
 2. THE VILLAGE OFFICER, VELLORA VILLAGE,
TALIPARAMBA TALUK, VELLORA.P.O.,
KANNUR DISTRICT,PIN-670 306
 3. M.V.GOVINDAN NAIR, TRUSTEE BOARD CHAIRMAN,
ERIAM VETTAKURUMAKAN, KOTTOM, KARIPAL.P.O.,
KANNUR DISTRICT,PIN-670 581

R1 & R2 BY GOVERNMENT PLEADER SMT. LILLY LESSLIE

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

sts

OP(C).NO.703/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE SUO MOTO REPORT NO.248/2001 SUBMITTED BY THE 2ND
RESPONDENT TO THE LAND TRIBUNAL, PAYYANNUR ALONG WITH THE
SKETCH OF THE PROPERTY.**
- P2 COPY OF THE NOTICE ISSUED TO THE PETITIONER LAND TRIBUNAL NO.2,
PAYYANNUR DATED 29/3/2001.**

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

A.HARIPRASAD, J.

O.P.(C).No.703 of 2015

Dated this the 17th day of March, 2015

J U D G M E N T

Heard the learned counsel for the petitioner and the learned Government Pleader.

2. Petitioner claims to be a cultivating tenant entitled to purchase under the provisions of the Kerala Land Reforms Act, 1963, (in short the 'Act'). It is the case of the petitioner that originally a S.M. proceedings was initiated in the year 2001. Ext.P1 is the report which resulted in initiation of S.M. proceedings in the year 2001. Ext.P2 notice was served on the land owner. Originally the action was before Land Tribunal, Payyannur and later, it was transferred to Deputy Collector [Land Tribunal (Devaswom)], Civil Station, Kannur. The matter is now pending as S.M.No.251 of 2006.

3. The petitioner is aggrieved by the undue delay caused in disposing the S.M. Proceedings initiated in the year 2001. The petitioner prays to issue a direction to

the first respondent to hear and dispose of S.M. Proceedings within a time frame.

After hearing the learned counsel for the petitioner and the learned Government Pleader and also on perusal of the records, I am of the view that the matter has to be decided as expeditiously as possible, since the claim is pending from 2001 onwards.

In the result, O.P.(C) is allowed. The first respondent is directed to hear and dispose of S.M.No.251 of 2006 pending before the first respondent in accordance with law within a period of three months from the date of production of the judgment.

Sd/-
A.HARIPRASAD, JUDGE.

AS