

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C).No. 1116 of 2010 (L)

PETITIONER(S):

- 1. M.P.KHALID, MURINGOLI PUTHIYAPURAYIL,
SOUNDARYA TEXTILES, VEMOM VILLAGE, MANANTHAVADY TALUK
WAYANAD DISTRICT.**
- 2. M.P.ABDUL KHADAR,
MURINGOLI PUTHIYAPURAYIL, VEMOM VILLAGE
MANANTHAVADY TALUK, WAYANAD DISTRICT.**

BY ADV. SRI.V.P.REGHURAJ

RESPONDENT(S):

- 1. THE SPECIAL TAHSILDAR, LAND ASSIGNMENT,
KALPETTA, WAYANAD DISTRICT.**
- 2. THE SPECIAL TAHSILDAR (LA) KUTTIYADI
AUGMENTATION SCHEME, THARIYODE NO.1
THARIYODE NORTH P.O, WAYANAD DISTRICT.**
- 3. THE VILLAGE OFFICER, THARIYODE,
WAYANAD DISTRICT.**
- 4. THE SUPERINTENDENT OF SURVEY LAND
RECORDS, MANANTHAVADY, WAYANAD DISTRICT.**
- 5. THE TAHSILDAR, TALUK OFFICE, VYTHIRI,
WAYANAD DISTRICT.**
- 6. THE DISTRICT COLLECTOR, WAYANAD,
KALPETTA, WAYANAD DISTRICT.**

R BY GOVERNMENT PLEADER SRI. S. JAMAL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 1116 of 2010 (L)

APPENDIX

PETITIONERS EXHIBITS:

- EXT.P1 COPY OF THE PATTA DATED 10.8.98 ISSUED BY THE 1ST
RESPONDENT TO THE 1ST PETITIONER.
- EXT.P2 COPY OF THE ASSIGNMENT REGISTER OF THARIYODE
VILLAGE DATED 18.11.93.
- EXT.P3 COPY OF THE CERTIFICATE 11.9.97 ISSUED BY THE 2ND
RESPONDENT.
- EXT.P4 COPY OF THE COMMUNICATION DATED 7.7.08.
- EXT.P5 COPY OF THE LETTER DATED 19.11.08 OF THE 6TH
RESPONDENT.
- EXT.P6 COPY OC THE COMMUNICATION DATED 15.12.08.

RESPONDENTS EXHIBITS:

NIL

// TRUE COPY //

PA TO JUDGE.

SB

K. VINOD CHANDRAN, J.

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W.P.(C) No.1116 of 2010 - L

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Dated this the 13th day of August, 2015

J U D G M E N T

The petitioners are concerned with the non acceptance of basic tax for the land he owns and possesses in Resurvey Nos.91/1, 91/5 and 91/7 in Block No. 103A and Block No.219A of Thariyode Village, which is in the joint occupation of the petitioners herein. The petitioners owned larger extents of property, a portion of which was acquired for the Kuttiyadi Augmentation Scheme. In such circumstance, the petitioner had applied for re-survey of the properties so as to demarcate the boundaries and also clarify the extent of the property now in the possession of the petitioner itself. The petitioner had also applied for the correction of the survey number. By Ext.P4, the petitioner was directed to appear before the authority on 14.07.2008.

2. The petitioners submit that despite survey having been conducted as indicated therein, no orders have been passed till date. It is not clear as to whether any details would be available especially since the said survey is said to have been conducted in pursuance of a Survey Adalath, that too in the year 2008.

3. In fact in the year 2008 itself by Ext.P6, the Tahsildar had directed the petitioners to appear before the Re-Survey Superintendent for the purpose of conducting a re-survey of the properties. In such circumstance, what the petitioners could do now is to appear before the 4th respondent with the title deeds as also an application for re-survey of the properties which, the 4th respondent would consider in accordance with law.

The writ petition is disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE