

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 1994 of 2013 (Y)

PETITIONER(S):

**V.S. VALSARAJ, AGED 46 YEARS,
S/O. VASUDEVAN NAMBEESAN, PONNAM VAYAL,
VAYAKKARA AMSOM, PADIVOTTUCHAL DESOM,
THALIPARAMBA TALUK, KANNUR DISTRICT.**

**BY ADVS.SRI.K.V.MANOJ KUMAR,
SRI.P.R.SREEJITH,
SRI.M.PROMODH KUMAR.**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
KANNUR DISTRICT - 670 002.**
- 2. TAHSILDAR,
THALIPARAMBA TALUK, THALIPARAMBA,
KANNUR DISTRICT - 670 141.**
- 3. VILLAGE OFFICER, VAYAKKARA,
THALIPARAMBA TALUK, KANNUR DISTRICT - 670 631.**
- 4. DEPUTY DIRECTOR, SURVEY,
COLLECTORATE, KANNUR - 670 002.**

BY SR. GOVT. PLEADER MR.K.C. VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 1994 of 2013 (Y)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE PARTITION DEED NO.268/1958 OF SRO, PAYYANNUR.
- EXT.P2 COPY OF THE 3RD RESPONDENT'S REPORT DATED 29/10/2007
TO THE 2ND RESPONDENT.
- EXT.P3 COPY OF THE 4TH RESPONDENT LETTER REFERENCE
NO.D10-505/07 DATED 03/12/2007 TO THE PETITIONER.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 1994 of 2013

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Dated, this the 8th day of January, 2015

JUDGMENT

The petitioner herein is aggrieved of non-acceptance of basic tax in respect of the property belonging to the petitioner, allegedly because of some mistake committed by the officers of the 4th respondent, which was stated as ordered to be collected by the first respondent years back. The application filed by the petitioner in this regard on 22.10.2007 has been replied by the 4th respondent vide Ext. P3 dated 03.12.2007 stating that necessary steps will be taken to effect correction, once the survey proceedings are over. Despite lapse of more than seven years ,nothing has transpired no far. Hence writ petition.

2. The learned counsel for the petitioner submits that correct factual position is discernible from Ext. P2 proceedings dated 29.10.2007 of 3rd respondent, which very much supports the case of the petitioner. The proceedings have to be finalized in the light of Ext. P2. The delay in finalizing the same is causing irreparable loss and hardships to the petitioner.

3. The learned Government Pleader appearing for the respondents submits that Ext. P2 does not reflect the correct position, as in the course of subsequent enquiry proceedings, the factual position seemed to be something else. It is stated that steps are being taken to finalize the matter in accordance with law.

4. After hearing both the sides, the writ petition is disposed of, directing the respondents to finalize the proceedings forming subject matter of Ext. P3 in accordance with law, with reference to the relevant materials, after affording an opportunity of hearing to the petitioner and other interested parties, if any, as expeditiously as possible, at any rate, within three months from the receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the concerned respondent for further steps.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd