

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

WP(C).No. 7889 of 2007 (L)

PETITIONER :

**RAGEENA, AGED 78,
W/O.LENDAPARAMBI JOSEPH, EDACOCHIN,
COCHIN-6.**

**BY ADVS.SRI.B.RAMACHANDRAN
SMT.P.N.INDU**

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY SECRETARY,
MINISTRY OF LAW, THIRUVANANTHAPURAM.**
- 2. THE TAHSILDAR, KOCHI TALUK.**
- 3. THEVAN CHELLAPPAN, AGED ABOUT 72 YEARS,
RESIDING IN CHARTHU BEHIND SHOP BUILDING
C.C.NO.XII/98(OLD) EDACOCHIN, COCHIN-6.**

**R1 & R2 BY GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN
R3 BY ADV. SRI.SAJAN MANNALI
SRI.M.P.JAYAKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).NO.7889/2007

APPENDIX

PETITIONER'S EXHIBITS:

P1 COPY OF THE JUDGMENT DATED 19/1/2004 IN WP(C).NO.1971/2004

P2 COPY OF THE NOTICE DATED 28/2/2007 OF THE 2ND RESPONDENT.

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.7889 of 2007

Dated this the 5th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i) issue a writ of certiorari or any other appropriate writ, direction or order and call for entire records leading to Exhibit P2, scrutinise the same and quash Ext.P2 notice holding it as illegla and arbitrary;

ii) issue a writ in the nature of mandamus or any other appropriate writ, direction or order directing the Land Tribunal, Ernakulam to forward its finding in R.C. No.6/98 to the Munsiff Court, Kochi, where O.S. No.156/1990 is pending awaiting Land Tribunal Findings;

iii) allow cost of this Writ Petition; and

iv) allow any other relief which this Hon'ble Court deem fit and proper to grant in the circumstances of the case."

2. When the matter came up for consideration on 09.02.2012, it was stated that the petitioner was no more and that the legal heirs were sought to be impleaded. Though the impleadment of the legal heirs was sought to be opposed from the part of the 3rd respondent stating that the death of the petitioner was more than one year ago, an opportunity was given by this Court to implead the legal heirs within a period of three

weeks from the date of the order. It was also made clear that, if no steps were taken, the writ petition would stand dismissed. Despite the lapse of more than 2½ years after passing the said order, no steps have been taken to bring the legal heirs in the party array.

The order dated 09.02.2012 is a self serving one and as such the writ petition is dismissed accordingly.

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

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