

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No. 1435 of 2015 (D)

PETITIONER(S):

**SASIDHARAN T.P, AGED 49 YEARS,
S/O.KUTTAN, THANIKKAPARAMBIL HOUSE,
NEYYOOR, AANAKKARA P.O., PATTAMBI TALUK,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.S.M.PRASANTH,
SRI.C.DINESH,
SRI.G.RENJITH.**

RESPONDENTS:-

- 1. THE VILLAGE OFFICER,
EDAYUR NORTH POST, VALLANCHERI (VIA), PIN - 676 552.**
- 2. THE TAHASILDAR,
TIRUR TALUK, MINI CIVIL STATION, TIRUR POST,
MALAPPURAM DISTRICT - 676 101.**
- 3. THE DISTRICT COLLECTOR,
MALAPPURAM - 676 101.**

BY SR. GOVT. PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1. TRUE COPY OF THE SALE DEED NO.1486/1997 OF KUTTIPURAM SUB REGISTRAR'S OFFICE.
- EXHIBIT P2. TRUE COPY OF LETTER DATED 27.09.2011 ADDRESSED TO THE TAHASILDAR, TIRUR FROM THE VILLAGE OFFICER, EDAYUR.
- EXHIBIT P3. TRUE COPY OF LETTER DATED 29.09.2014 ADDRESSED TO THE VILLAGE OFFICER, EDAYUR FROM THE ADDITIONAL TAHASILDAR, TIRUR.
- EXHIBIT P4. TRUE COPY OF LETTER DATED 10.11.2014 ADDRESSED TO THE ADDITIONAL TAHASILDAR, TIRUR BY THE VILLAGE OFFICER, EDAYUR.
- EXHIBIT P5. TRUE COPY OF LETTER DATED 26.11.2014 ADDRESSED TO THE VILLAGE OFFICER BY THE ADDITIONAL TAHASILDAR, TIRUR.
- EXHIBIT P6. TRUE COPY OF LETTER DATED 05.12.2014 RECEIVED BY THE PETITIONER FROM THE 1ST RESPONDENT.
- EXHIBIT P7. TRUE COPY OF THE ENCUMBRANCE CERTIFICATE DATED 02.12.2014 ISSUED BY 1ST RESPONDENT.
- EXHIBIT P8. TRUE COPY OF THE POSSESSION CERTIFICATE DATED 27.11.2014 ISSUED BY 1ST RESPONDENT.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 1435 of 2015

Dated this the 3rd day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

“i. To declare the denial of acceptance of Basic Tax is violative of the fundamental rights of the petitioner guaranteed under Article 14, 19 (1)(g) and 300A of the Constitution of India.

ii. To issue a writ of mandamus or any other appropriate writ, order or direction commanding the 1st respondent Village Officer to accept the Basic Tax from the petitioner as per the direction of the Additional Tahsildar, Tirur.”

2. The learned counsel for the petitioner points out that, pursuant to Ext.P6 notice dated 5.12.2014 issued by the 1st respondent/Village Officer, though the petitioner turned up before the said authority, the proceedings are still to be finalized and the Basic Tax payable by the petitioner pursuant to Ext.P1 is still to be accepted and hence the writ petition.

3. Heard the learned Government Pleader as well, who submits that the version of the petitioner is not fully correct.

However, it is stated that, the proceedings will be finalized within the shortest possible time.

4. In the above circumstance, the writ petition is disposed of, directing the 1st respondent to finalize the proceedings after hearing the petitioner at the earliest, at any rate, within 'one month' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

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

kp/-