

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

WP(C).No. 1517 of 2015 (L)

PETITIONER:

**K.P.ADARSH, S/O.KRISHNAN NAIR,
AGED 30 YEARS, T.C.9/1972, K-60, JAYA VIHAR,
SASTHAMANGALAM P.O., KOCHAL ROAD,
THIRUVANANTHAPURAM-695010.**

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM CIVIL STATION,
KUDAPPANAKKUNNU P.O.,
THIRUVANANTHAPURAM-695043.**
- 2. ADDITIONAL TAHSILDAR, TALUK OFFICE,
FORT P.O., THIRUVANANTHAPURAM-695001.**
- 3. VILLAGE OFFICER,
SASTHAMANGALAM VILLAGE OFFICE,
SASTHAMANGALAM P.O.,
THIRUVANANTHAPURAM-695001.**
- 4. TALUK SURVEYOR,
DIRECTORATE OF SURVEY AND LAND RECORD,
THIRUVANANTHAPURAM, 695010.**

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 1517 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT-P1: TRUE PHOTOCOPY OF THE LAND TAX RECEIPT DATED 16.8.2008
ISSUED FROM VILLAGE OFFICER, SASTHAMANGALAM IN THE NAME
OF PETITIONER'S MOTHER LATE PADMAKUMARI.**

**EXHIBIT-P2: TRUE PHOTOCOPY OF THE RE-SURVEY PLAN ISSUED BY
2ND RESPONDENT.**

**EXHIBIT-P3: TRUE PHOTOCOPY OF THE CORRELATION STATEMENT OF SURVEY
FIELDS IN SASTHAMANGALAM VILLAGE.**

**EXHIBIT-P4: TRUE PHOTOCOPY OF THE REPRESENTATION DATED 29.4.2014 TO
2ND RESPONDENT.**

**EXHIBIT-P5: TRUE PHOTOCOPY OF THE REPRESENTATION DATED 4.10.2014 TO
2ND RESPONDENT.**

**EXHIBIT-P6: TRUE PHOTOCOPY OF THE LAST AND THIRD REPRESENTATION TO
1ST RESPONDENT DATED 12.12.2014.**

**EXHIBIT-P7: TRUE PHOTOCOPY OF THE APPLILCATION FOR MEASUREMENT AND
FIXING BOUNDARIES OF PROPERTY SUBMITTED TO THE SURVEY
DEPARTMENT.**

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 1517 of 2015

Dated this the 15th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of mandamus or other appropriate writ, order or direction, commanding respondents 1 and 2 to consider the issues voiced in Ext. P4 to P6 representations and pursue urgent steps to rectify the anomaly in Re-survey in respect of petitioner's property in Re-survey in respect of petitioner's property in Re-survey No.23 (old Survey 804/2 and 804/17) in Block - 118 in Sasthamangalam Village, in Thiruvananthapuram Taluk in Thiruvananthapuram District without any further delay.

ii. Issue a writ of mandamus or other appropriate writ, order or direction, commanding the 4th respondent to initiate and finalize proceedings upon Ext.P7 application to measure and demarcate boundary of petitioner's property in Re-survey No.23 (old Survey 804/2 and 804/17) in Block - 118 in Sasthamangalam Village, in Thiruvananthapuram Taluk in Thiruvananthapuram District expeditiously without any further delay."

2. The learned counsel for the petitioner submits that, Ext.P7 application preferred by the petitioner for measurement and fixation of boundary is still pending and the prayer is to cause the same to be

considered and finalized within a reasonable time.

3. Heard the learned Government Pleader as well, who submits that Ext.P7 has been filed before the 4th respondent. In fact, the same had to be filed before the 2nd respondent and prescribed fee has to be remitted before the said respondent.

4. The learned counsel for the petitioner submits that, as per the information given to the petitioner vide letter No. J2-103584/14 dated 5.1.2015 issued from the office of the concerned Survey Superintendent, the application has already been forwarded to the second respondent.

5. In the said circumstance, the petitioner is set at liberty to satisfy the requisite fee before the second respondent and the 2nd respondent is directed to cause the measurement and fixation of boundaries with notice to the petitioner and other interested parties, which shall be done at the earliest, at any rate, within 'three months' 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 2nd respondent for further steps. The writ petition is disposed of.

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