

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 1656 of 2015 (F)

PETITIONER(S):

**SARAMMA DANIEL, AGED 64 YEARS,
W/O.LATE DANIEL, PERUMBARATHAZHATHU HOUSE,
KARIMBANA P.O., KOOHATTUKULAM, ERNAKULAM DISTRICT.**

BY ADV. SRI.SHAJI JOSEPH

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - PIN-695 010.**
- 2. THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT, COLLECTORATE, KAKKANAD,
ERNAKULAM PIN-682 030.**
- 3. TAHSILDAR, TALUK OFFICE,
MUVATTUPUZHA, ERNAKULAM DISTRICT, PIN - 686 623**
- 4. VILLAGE OFFICER,
PALAKUZHA VILLAGE, PALAKUZHA, KOOHATTUKULAM,
PIN - 686 662.**
- 5. PALAKUZHA GRAMA PANCHAYAT,
PALAKUZHA, REPRESENTED BY ITS SECRETARY, PIN - 686 662.**

R1 TO R4 BY SENIOR GOVERNMENT PLEADER SRI.M.MOHAMMED SHAFI

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - TRUE COPY OF THE RATION CARD OF THE PETITIONER.

EXT.P2 - TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE
3RD RESPONDENT.

EXT.P2(A) - TRUE COPY OF THE COMMUNICATION DATED 11-10-2011 ISSUED BY THE
3RD RESPONDENT.

EXT.P3 - TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER ON
10-3-2012 BEFORE THE PUBLIC GRIEVANCE REDRESSAL CELL OF THE
CHIEF MINISTER UNDER THE SUTHARYA KERALAM.

EXT.P4 - TRUE COPY OF THE COMMUNICATION NO.6600/CMPGRC/SK/20/2/GAD
DATED 22-3-2012 ISSUED BY THE CHIEF MINISTER'S PUBLIC GRIEVANCE
REDRESSAL CELL UNDER THE SUTHARYA KERALA.

EXT.P5 - TRUE COPY OF THE REPRESENTATION DATED 14-6-2012 SUBMITTED BY
THE PETITIONER BEFORE THE PUBLIC GRIEVANCE REDRESSAL CELL OF
THE CHIEF MINISTER UNDER THE SUTHARYA KERALA.

EXT.P6 - TRUE COPY OF THE COMMUNICATION NO.L2/25230/12 DATED 3-8-2012
ISSUED BY THE 2ND RESPONDENT.

EXT.P7 - TRUE COPY OF THE REPRESENTATION DATED 5-6-2013 BEFORE THE
1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 1656 of 2015

Dated this the 16th day of January, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers :

“i) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to assign at least 3 cents of land out of the 10 cents in survey No.514/4 of Palakuzhy Village, Muvattupuzha Taluk, Ernakulam District within such time as this Hon'ble Court may deem fit and proper in the interest of justice.

ii) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the 1st respondent to consider and pass orders on Ext.P7 within such time as this Hon'ble Court may deem fit and proper in the interest of justice.”

2. When the matter is taken up for consideration, the learned counsel for the petitioner submits that, the grievance of the petitioner has also been projected by Ext.P7, which is pending consideration before the 1st respondent. The petitioner will be satisfied if a direction is given to the 1st respondent having considered and finalised Ext.P7 within a reasonable time.

2. Heard the learned Government Pleader as well.

3. After hearing both sides, this writ petition is disposed

of, directing the 1st respondent to consider and pass appropriate orders on Ext.P7, in accordance with law, after affording an opportunity of hearing to the petitioner, the 5th respondent Panchayat and other interested parties if any. It shall be done, as expeditiously as possible, and at any rate, within a period of 'three months' from the date of receipt of a copy of this judgment.

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

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.

Pn