

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 2191 of 2015 (Y)

PETITIONER(S):

**CSI MADHYA KERALA DIOCESE,
CSI DIOCESAN OFFICE, BISHOP GILL MEMORIAL BUILDING
CATHEDRAL ROAD,
KOTTAYAM REPRESENTED BY ITS TREASURER AND POWER
OF ATTORNEY HOLDER REV.DR.SABU K.CHERIYAN, AGED 53 YEARS.**

BY ADV. SRI.A.SHAFAEEK (KAYAMKULAM)

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY, REVENUE DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE DISTRICT COLLECTOR, PATHANAMTHITTA -689645.**
- 3. THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER
PATHANMTHITTA 689645.**
- 4. THE TAHSILDAR, TALUK OFFICE
RANNI, PATHANAMTHITTA-689672.**
- 5. THE VILLAGE OFFICER,
ANGADI, RANNI, PATHANAMTHITTA 689674.**

BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT P1: TRUE COPY OF THE POWER OF ATTORNEY EXECUTED IN FAVOUR OF
REV. DR. SABU K.CHERIYAN**
- EXT P2: TRUE COPY OF THE NOTICE DATED 03.12.2014 ISSUED BY THE 4TH
RESPONDENT**
- EXT P3: TRUE COPY OF THE RECEIPT ISSUED BY THE 5TH RESPONDENT
ACCEPTING THE PATTOM AMOUNT FOR 2012-13 AND 2013-14**
- EXT P4: TRUE COPY OF THE RECEIPT ISSUED BY THE 5TH RESPONDENT
ACCEPTING THE PATTOM AMOUNT FOR 2014-15**
- EXT P5: TRUE COPY OF THE OBJECTION DATED 17.1.2015 SUBMITTED ON
19.01.2015**
- EXT P6: TRUE COPY OF THE PHOTOGRAPH SHOWING THE STACKING OF
SURVEY STONES.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.2191 of 2015

Dated this the 21st day of January, 2015

JUDGMENT

The petitioner has been served with Ext.P2 notice dated 03.12.2014 by the 4th respondent referring to a decision to take back the property, which was given to the petitioner on yearly lease in the year 2004, for not having sought to renew the lease and further that the entire property forming the subject matter of lease was not put in use for the purpose it was given. The learned counsel for the petitioner points out that a detailed explanation has been submitted by way of Ext.P5. But before considering the same, coercive steps are pursued to dispossess the petitioner, which made the petitioner to approach this Court by filing this writ petition.

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, the writ petition is disposed of, directing the 4th respondent to consider and pass final orders pursuant to Exts.P2 and P5, after affording an opportunity of hearing to the petitioner, in accordance with law, at the earliest,

at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

'Status quo' shall be maintained till such time.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 4th respondent, for further steps.

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

sp