

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 12629 of 2005 (C)

PETITIONER :

A.SIVAKUMAR,AGED 45 YEARS,
S/O.APPUKUTTAN, RESIDING AT SREEKUMARI MANDIRAM
PANAYARAKKUNNU, ANTHIYOOR DESOM, KOTTUKAL
THIRUVANANTHAPURAM.

BY ADVS.SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS :

1. STATE OF KERALA REPRESENTED BY
ITS CHIEF SECRETARY, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM DISTRICT, COLLECTORATE, VANCHIYOOR
THIRUVANANTHAPURAM.
3. THE SUB-REGISTRAR,
SUB REGISTRAR'S OFFICE, VENGANOOR.

R BY SR.GOVERNMENT PLEADER SRI.E.M.ABDUL KHADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 12629 of 2005 (C)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE NOTICE DATED 10.10.2000 ISSUED BY THE TAHSILDAR (REVENUE RECOVERY), NEYYATTINKARA

EXT.P2 : COPY OF THE LETTER NO.R6/54824/01(1) DATED 15.2.2005 ISSUED BY THE SECOND RESPONDENT TO THE THIRD RESPONDENT

RESPONDENTS' EXHIBITS : NIL

/TRUE COPY/

P.A TO JUDGE

AV

K.SURENDRA MOHAN, J.

W.P.(C) No.12629 of 2005

Dated this the 4th day of March, 2015

J U D G M E N T

The petitioner is the owner of an item of property comprised in Survey No.52/5C and 51/1 of Kottukal Village in Neyyattinkara Taluk. He approached this Court complaining of the action of the Sub Registrar, the 3rd respondent herein, refusing to register the sale deed in respect of the said property for the reason that, sales tax arrears were due from him. According to the petitioner, towards recovery of the sales tax arrears, another item of property belonging to the petitioner admeasuring 3.73 Ares in Re-Survey No.391/17 of Kottukal Village was already attached. Since the said property was more than sufficient to discharge the sales tax arrears, it is contended that, there was no justification for not registering the sale deed in respect of a totally different property.

2. This writ petition was admitted on 15.04.2005. On the same day, this Court issued an interim order directing the 3rd respondent to facilitate the registration of the documents presented by the petitioner in respect of the property comprised in Survey No.52/5C and 51/1 of Kottukal Village, provisionally. The said order has been in force ever since. In compliance with the said interim order, the sale deed was also registered.

3. Heard. Since the property has already been registered

provisionally pursuant to the interim order passed by this Court, no further orders are necessary to be issued in this writ petition.

This writ petition is, therefore, disposed of in terms of the interim order already passed, clarifying that the registration of the sale deed shall be maintained.

Sd/-
K.SURENDRA MOHAN, JUDGE.

AV