

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 2407 of 2015 (A)

PETITIONER:

**C.K.KHALID, AGED 51 YEARS,
S/O.ABDULLAH, C.K.HOUSE, MUNDALLOOR PO.,
KANNUR DISTRICT.**

BY ADV. SRI.CIBI THOMAS

RESPONDENTS:

- 1. THE LAND TRIBUNAL, KUTHUPARAMBA,
REPRESENTED BY THE HEAD MINISTERIAL OFFICER,
KUTHUPARAMBA, KANNUR DISTRICT-670643**
- 2. THE SPECIAL TAHSILDAR (LR)
KUTHUPARAMABA-670643**

BY SR. GOVERNMENT PLEADER, SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 2407 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS

EXT P1 : COPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT

**EXT P2 : COPY OF THE MEDICAL CERTIFICATE DATED 12.01.2015
ISSUED FROM THE GENERAL HOSPITAL, SIRA, KARNATAKA
STATE.**

**EXT P3 : COPY OF THE APPLICATION DATED 02.01.2015 SUBMITTED BY
THE PETITIONER BEFORE THE 1ST RESPONDENT.**

**EXT P4 : COPY FO THE JUDGEMENT DATED 06.06.2013 IN WP(C)
NO.14244/2013**

**EXT P5 : COPY OF THE JUDGMENT DATED 15.03.2011 IN WP(C).
18986/2011**

EXT P6 : COPY OF THE JUDGMENT DATED 02.09.2011 IN WP(C)7210/2011

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

DST

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.2407 of 2015

Dated this the 30th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"a). writ of mandamus or any other appropriate writ order or direction, directing the Respondents to expedite the proceedings in SMP 1985/2014 and take a decision on issuance of purchase certificate to the petitioner at the earliest.

b) issue a writ of mandamus or any other appropriate writ order or direction, directing the Respondents to pass orders on Ext.P3 petition favourably;

AND

c). to grant such other reliefs prayed for from time to time including cost of these proceedings."

2. The petitioner and his wife are in joint possession of 22.26 Ares of property comprised in Re-Survey No.70/1 of Kottayam Amsom, Kinavackal Desom, in Thalassery Taluk. The petitioner's contention is that, the respondents have initiated suo motu proceedings as SMP No.1985/2014 in respect of the aforesaid property and that no final decision has been taken so far. It is contended that, the wife of the petitioner is laid up of paralysis as evident from Ext.P2 Medical Certificate. The

petitioner's attempt to sell a portion of the property and avail loan from Banks turned to be futile, since there is no purchase certificate. Therefore, the petitioner has submitted Ext.P3 application before the 1st respondent, seeking expeditious disposal of the matter, but the same has not turned to be fruitful, hence the writ petition.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is disposed of, directing the respondents to finalise the 'suo motu proceedings' against the petitioner's property, after giving an opportunity of hearing to the petitioner, as expeditiously as possible, at the earliest, at any rate, within 'six months' from the date of receipt of a copy of this judgment.

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

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

sp