

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

WP(C).No. 2408 of 2015 (A)

PETITIONER(S) :

**N.GEORGE, AGED 64 YEARS,
KRISHNA IYER LANE, FARM HOUSE, CHEMPOOKKAVU,
THRISSUR.**

**BY ADVS.SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY REVENUE SECRETARY, REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE DISTRICT COLLECTOR,
THRISSUR DISTRICT - 680 001.**
- 3. THE DEPUTY COLLECTOR (L.R.),
THRISSUR - 680 001.**

BY SR.GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 2408 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF PARTITION DEED NO.1669/91 OF THRISSUR SRO
DATED 18.04.1991.**
- EXHIBIT P2: TRUE COPY OF SKETCH OF SURVEY NO.202/2.**
- EXHIBIT P3: TRUE COPY OF SCHEDULE OF FAIR VALUE FOR RESPECTIVE SURVEY
NOS. IN THRISSUR VILLAGE.**
- EXHIBIT P4: TRUE COPY OF PHOTOGRAPHS SHOWING THE PROPERTY.**
- EXHIBIT P5: TRUE COPY OF APPLICATION SUBMITTED BY THE PETITIONER
BEFORE 2ND RESPONDENT DATED 23.10.2014 AND ITS RECEIPT
DATED 23.10.2014.**
- EXHIBIT P6: TRUE COPY OF THE ORDER PASSED BY 3RD RESPONDENT
DATED 31.10.2014.**
- EXHIBIT P7: TRUE COPY OF JUDGMENT IN W.P.(C).NO.3169/2014 DATED 03.02.2014.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

=====

W.P.(C). No. 2408 of 2015

Dated this the 23rd day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"I. Issue a writ of certiorari or any other appropriate writ order or direction quashing Ext.P6.

II. Issue a writ of mandamus or other appropriate writ, order or direction directing the 2nd respondent to reconsider Ext.P5 application of the petitioner after affording an opportunity to explain the delay in filing the same and to dispose of the same within a time limit as may be prescribed by this Hon'ble Court."

2. The learned counsel for the petitioner submits that, as the petitioner was abroad, he could not take steps in time and hence the delay. It is stated that, the prayer is only to cause Ext.P5 application to be considered and disposed of within a reasonable time in the light of Ext.P7 judgment.

3. Heard the learned Government Pleader as well, who submits that the Kerala Stamp Act, 1959 was amended with retrospective effect from 1.4.2010 as per Act 14 of 2013 and that the petitioner is also entitled to have similar relief as per Ext.P7 judgment.

4. After hearing both the sides, Ext.P6 is set aside and the 2nd respondent is directed to consider and pass appropriate orders on Ext.P5 in accordance with law after giving an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'one month' from the date of receipt of a copy of this judgment.

The writ petition is disposed of. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

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

kp/-