

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 2639 of 2015 (D)

PETITIONER(S) :

1. PANNIKKAN SATHIMANI, AGED 54 YEARS,
S/O.CHARALAN PUTHIYA VEETIL KANNAN,
CHARALAM PUTHIAY VEETIL, K.P.NAGAR, PERINGOME P.O,
THALIPARAMBA TALUK, PIN-6703 07.
2. PANNIKAN MOHANAN,
S/O.CHARALAN PUTHIYA VEETIL KANNAN,
CHARALAM PUTHIAY VEETIL, K.P.NAGAR, PERINGOME P.O,
THALIPARAMBA TALUK, PIN-670 307.
3. PANNIKKAN SARASWATHI,
S/O.CHARALAN PUTHIYA VEETIL KANNAN,
CHARALAM PUTHIAY VEETIL, K.P.NAGAR, PERINGOME P.O,
THALIPARAMBA TALUK, PIN-670 307.
4. PANNIKKAN SAVITHRI,
S/O.CHARALAN PUTHIYA VEETIL KANNAN,
CHARALAM PUTHIAY VEETIL, K.P.NAGAR, PERINGOME P.O,
THALIPARAMBA TALUK, PIN-670 307.
5. PANNIKKAN KOMALAVALLI,
S/O.CHARALAN PUTHIYA VEETIL KANNAN,
CHARALAM PUTHIAY VEETIL, K.P.NAGAR, PERINGOME P.O,
THALIPARAMBA TALUK, PIN-670 307.
6. PANNIKKAN RAGINI,
S/O.CHARALAN PUTHIYA VEETIL KANNAN,
CHARALAM PUTHIAY VEETIL, K.P.NAGAR, PERINGOME P.O,
THALIPARAMBA TALUK, PIN-670 307.
7. PANNIKKAN SREEDEVI,
S/O.CHARALAN PUTHIYA VEETIL KANNAN,
CHARALAM PUTHIAY VEETIL, K.P.NAGAR, PERINGOME P.O,
THALIPARAMBA TALUK, PIN-670 307.

BY ADVS.SRI.LINDONS C.DAVIS
SRI.SHAJIMON.K

WP(C).No. 2639 of 2015 (D)

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF REVENUE, SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.
2. DISTRICT COLLECTOR,
COLLECTORATE, KANNUR- 670 001.
3. TAHSILDAR,
THALIPARAMAMBA- 670 307
4. VILLAGE OFFICER,
PERINGOME- 670 307.
5. TALUK LAND BOARD,
THALIPARAMBA, REPRESENTED BY ITS CHAIRMAN,
COLLECTORATE, KANNUR- 670 307.

BY SR.GOVERNMENT PLEADER SRI.JOSEPH GEORGE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Msd.

WP(C).No. 2639 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT P1: TRUE COPY OF APPLICATION FILED BEFORE TALUK LAND BOARD,
THALIPARAMBA.**

**EXT P1(A): TRUE COPY OF THE PLAN SHOWING THE POSSESSION OF THE LAND
POSSESSED BY THE PETITIONERS.**

EXT P2: TRUE COPY OF THE REPRESENTATION DATED 10.01.2015

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 2639 of 2015

Dated this the 13th day of February, 2015

J U D G M E N T

The petitioners have approached this Court with the following prayers:

- "i) to issue a Writ of mandamus or any other appropriate writ, order or direction directing the 5th respondent to pass orders on Ext.P1.*
- ii) issue a Writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to pass orders on Ext.P2.*
- iii) to issue a Writ of mandamus or any other appropriate writ, order or direction directing the respondents to not evict the petitioners till the orders were passed on Ext.P1 and P2.*
- iv) to issue a Writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to prescribe the time and manner for applying for certificate of title before the Land tribunal as per Section 106 B of Kerala Land Reforms Act.*
- v) to issue a Writ of mandamus or any other appropriate writ, order or direction directing the respondents to not to evict the petitioners, till the 1st respondent prescribes the time and manner for applying for certificate of title before the Land tribunal as per Section 106 B of Kerala Land Reforms Act and the petitioners application is considered pursuant to the same.*
- vi) to declare that the petitioners are entitled for assignment / title of land shown in Exhibit P1(a)"*

2. Heard the learned Government Pleader as well.

3. Considering the limited extent of relief sought for, this Court does not find it necessary to adjudicate the issue on merits.

4. After hearing both the sides, the writ petition is disposed of, directing the 5th respondent to consider and pass appropriate orders on Ext.P1 preferred by the petitioners, after giving an opportunity of hearing to anyone of the petitioners in a representative capacity. It shall be done, as expeditiously as possible, at any rate within 'four months' from the date of receipt of a copy of this judgment. 'Status quo' shall be maintained till such time.

The petitioners shall produce a copy of this judgment along with a copy of this writ petition before the 5th respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE