

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).NO. 2890 OF 2015 (I)

PETITIONER(S):

**JAYANTHAN P.K., S/O.KARUPPAN,
AGED 65 YEARS, PUTHUVALSTHALATH HOUSE,
MURIKKUMPADAM, AZHEEKAL P.O, KOCHI-682 508.**

BY ADV. SRI.DENIZEN KOMATH.

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
COLLECTORATE, KAKKANADU,
ERNAKULAM-682 530.**
- 2. TAHSILDAR (LA),
TALUK OFFICE, KOCHI-682 001.**
- 3. VILLAGE OFFICER, PUTHUVYPPU VILLAGE,
OCHAMTHURUTH P.O., KOCHI- 682 508.**

BY GOVT. PLEADER SRI.K.C. VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT P1: TRUE COPY OF THE ELECTRICAL ID CARD OF THIS PETITIONER.
- EXT P1(A): TRUE PHOTOCOPY OF THE RATION CARD EXTRACT OF THIS PETITIONER IN THIS EXTEND OF LAND.
- EXT P1(B): TRUE PHOTOCOPIES OF BUILDING TAX RECEIPTS ISSUED BY THE ELANKUNNAPUZHA GRAMA PANCHAYATH TO THIS PETITIONER TO THE ABOVE RESIDENTIAL BUILDING EXISTING IN THE PURAMBOKKU DATED 25.04.2005, 19.08.2011 AND 03.01.2014.
- EXT P2: TRUE COPY OF THE INFORMATION GIVEN BY 3RD RESPONDENT TO THIS PETITIONER UNDER THE RIGHT TO INFORMATION ACT.
- EXT P3: TRUE PHOTOCOPY OF THE RESIDENTIAL CERTIFICATE ISSUED BY THE ELANKUNNAPUZHA GRAMA PANCHAYATH TO THIS PETITIONER.
- EXT P4: TRUE PHOTOCOPY OF THE FORWARDING LETTER PRODUCED BY THE PETITIONER ALONG WITH THE REQUISITE FORM DATED 06.12.2013.
- EXT P4(A) TRUE PHOTOCOPY OF THE RECEIPT ISSUED BY 1ST RESPONDENT VIDE REFERENCE NO.L1/20440/14 DATED 06.12.2013.
- EXT P5: TRUE PHOTOCOPY OF THE REQUEST PREFERRED BY THIS PETITIONER BEFORE 2ND RESPONDENT.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 2890 of 2015

Dated this the 6th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

“i. Call for the entire records pertaining to the steps taken by the respondents so far on Ext.P4 and P5.

ii. Issue a writ of mandamus or any other appropriate writ or order or direction, directing the respondents 1 and 2 to complete all requisite formalities for assignment of purambokku with the petitioner under the Kerala Land Assignment Act and Rules thereof on Ext.P4 and P5 preferred by the petitioner, and within a time frame manner.

iii. Issue a writ of mandamus or any other appropriate writ or direction directing the respondents herein to assign 4 cents of land in Re-survey No. 74/1 of 3rd respondents village wherein this petitioner has his homestead and over six decades of possession, forthwith.”

2. Heard the learned Counsel for the petitioner as well as the learned Government Pleader.

4. During the course of hearing, the learned counsel for the petitioner submits that, the grievance has already been projected

by way of Ext.P4 before the first respondent and that the petitioner will be satisfied, if a direction is given to the said respondent to have it considered and finalized within a reasonable time.

6. After hearing both the sides, this Court finds it not necessary to go into the merits of the case. The writ petition is disposed of, directing the first respondent to consider and pass appropriate orders on Ext.P4 in accordance with law, after affording an opportunity of hearing to the petitioner at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment.

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

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