

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No. 3720 of 2015 (L)

PETITIONER(S):

- 1. ANNAMMA VARGHESE, AGED 79 YEARS,
W/O.P.TVARGHESE, PLAVILAKANDATHIL HOUSE,
POTHUKALLU VILLAGE & PANCHAYAT, P.O.BHOOTHANAM,
NILAMBUR AMSOM DESOM, MALAPPURAM DISTRICT.**
- 2. THOMAS P.V., AGED 50 YEARS,
PLAVILAKANDATHIL VARGHESE,
POTHUKALLU VILLAGE & PANCHAYAT, P.O.BHOOTHANAM,
NILAMBUR AMSOM DESOM, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.
SMT.N.C.SALINI
SMT. SMITHA PRAVEEN
SRI.C.RADHAKRISHNAN
SMT.V.S.SANGEETHA**

RESPONDENT(S):

- 1. THE TAHSILDAR, NILAMBUR-679 329.**
- 2. THE VILLAGE OFFICER,
CHUNGATHARA VILLAGE,
NILAMBUR TALUK, PIN -679 334.**

R1 & R2 BY SR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: TRUE COPY OF THE CERTIFICATE OF PURCHASE NO.1190/2009 LAND TRIBUNAL MANJERI.
- EXHIBIT-P2: TRUE COPY OF THE CERTIFICATE OF PURCHASE ISSUED IN THE NAME OF THE 1ST PETITIONER VIDE CERTIFICATE OF PURCHASE NO.232/1999 BY THE LAND TRIBUNAL, MANJERI.
- EXHIBIT-P3: TRUE COPY OF THE DOCUMENT NO.3378/1998 OF SRO, EDAKKARA.
- EXHIBIT-P4: TRUE COPY OF THE CERTIFICATE OF PURCHASE VIDE CERTIFICATE NO.230/1999 BY THE LAND TRIBUNAL MANJERI ON 26.02.1999.
- EXHIBIT-P5: TRUE COPY OF THE DOCUMENT NO.3377/98 OF SRO, EDAKKARA.
- EXHIBIT-P6: TRUE COPY OF ONE OF THE BASIC TAX RECEIPT DATED 16.04.1999 ISSUED IN THE NAME OF VARGHESE BY THE VILLAGE OFFICER, CHUNGATHARA.
- EXHIBIT-P7: TRUE COPY OF THE NOTICE DATED 22.06.98 ISSUED BY THE DEPUTY TAHSILDAR, NILAMBUR.
- EXHIBIT-P8: TRUE COPY OF THE BASIC RECEIPT NO.9045716 DATED 30.1.2013 FOR RS.830/- ISSUED BY THE VILLAGE OFFICER, CHUNGATHARA.
- EXHIBIT-P9: TRUE COPY OF THE COMMUNICATION DATED 11.11.2013 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT-P10: TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 03.12.2013 FILED BEFORE THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.3720 of 2015

Dated this the 27th day of February, 2015.

JUDGMENT

The petitioners have approached this Court with the following prayers:

i) Issue a writ of mandamus or any appropriate writ or order commanding the 2nd respondent to accept basic tax relating to the properties mentioned in Exhibit P1 to P5 from the petitioners, if there are no prohibitory orders from any legal authority.

ii) Issue a writ of mandamus or any other appropriate writ or order commanding 1st respondent to consider Exhibit P10 appeal after hearing the petitioners without any further delay.

2. The learned counsel for the petitioners submits that the grievance of the petitioners has also been projected by way of Ext. P10 appeal, which is pending consideration before the first respondent and the prayer is only to cause the same to be considered and disposed of within a reasonable time.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is

disposed of, directing the first respondent to consider and pass appropriate orders on Ext. P10 in accordance with law, after hearing, which shall be finalized at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

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

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

Scl.