

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

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

WP(C).No. 3799 of 2015 (Y)

PETITIONER:

**ABDUL WAHID, S/O.ABDUL AZEEZ,
STARTECH ENTERPRISES,
MATTANCHERY, KOCHI - 682 002.**

**BY ADVS.SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS**

RESPONDENT(S):

- 1. THE LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM - 1.**
- 2. THE DISTRICT COLLECTOR,
KAKKANAD.P.O., PINCODE - 682 030,
ERNAKULAM.**
- 3. THE REVENUE DIVISIONAL OFFICER
(SUB COLLECTOR), FORT KOCHI,
KOCHI - 682 002.**
- 4. THE SPECIAL TAHSILDAR
(REVENUE RECOVERY), TALUK OFFICE,
KOCHI - 682 002.**

BY GOVERNMENT PLEADER SRI.SUDHEESH KUMAR.S

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

mbr/

WP(C).No. 3799 of 2015 (Y)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1 : TRUE COPY OF THE NOTICE OF SALE DATED 20.12.2013 ISSUED BY
THE 4TH RESPONDENT (ENGLISH)**

**EXHIBIT P2 : TRUE COPY OF THE NOTICE OF SALE DATED 20.12.2013 ISSUED BY
THE 4TH RESPONDENT(MALAYALAM).**

**EXHIBIT P3 : TRUE COPY OF THE LETTER DATED 14.2.2014 ISSUED BY THE
4TH RESPONDENT.**

**EXHIBIT P4 : TRUE COPY OF THE ORDER DATED 7.11.2014 ISSUED BY THE
3RD RESPONDENT.**

**EXHIBIT P5 : TRUE COPY OF THE REVISION PETITION FILED BY THE PETITIONER
BEFORE THE 1ST RESPONDENT.**

RESPONDENT'S EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No. 3799 of 2015 (Y)

.....
Dated this the 6th day of February, 2015

JUDGMENT

Against Ext.P4 order of the 3rd respondent, the petitioner has filed Ext.P5 revision and stay petition before the 1st respondent. It is the apprehension of the petitioner that, even before considering the stay petition, the respondents may take steps to re-auction the property, which was initially purchased by the petitioner at an auction.

2. I have heard Sri.V.M.Kurian, learned counsel for the petitioner and Sri.Sudheesh Kumar, learned Government Pleader for the respondents.
3. On a consideration of the facts and circumstances of the case and also the submissions made across the Bar, I dispose the writ petition, with a direction to the 1st respondent to consider and pass orders on Ext.P5 stay petition, within a period of one month from the date of receipt of a copy of this judgment.

It is made clear that, pending disposal of the stay petition by the 1st respondent, and communication of the orders therein to the petitioner, the respondents shall not take steps for re-auctioning the property in question.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/06/02/