

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C) .No. 4005 of 2015 (A)

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PETITIONER(S) :

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CHUNDAYIL MOOSA,  
S/O.KAMMUMULA HAJI,  
KARKKIDAKAKKUNNU,  
MANNARKKAD TALUK, PALAKKAD DIST

BY ADVS.SRI.N.N.SUGUNAPALAN (SR.)  
SRI.S.SUJIN.

RESPONDENT(S) :

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1. THE TALUK LAND BOARD,  
MANNARKKAD,  
PALAKKAD DIST - 678 005.
2. THE TAHSILDAR,  
MANNARKKAD TAULK,  
PALAKKAD DIST - 678 005.
3. THE STATE OF KERALA,  
REP BY THE CHIEF SECRETARY TO GOVERNMENT,  
GOVT.SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.

BY SENIOR GOVERNMENT PLEADER SRI. JOSEPH GEORGE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

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EXT. P1:- TRUE COPY OF THE ORDER DTD 6/1/1977 PASSED BY THE IST RESPONDENT IN S M CASE NO 266/76.

EXT. P2:- TRUE COPY OF THE ORDER PASSED BY THE IST RESPONDENT IN S M CASE NO 266/76 BY WHICH THE PROPERTY ORDERED TO BE SURRENDERED WAS REDUCED TO 7.96 ACRES.

EXT. P3:- TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN C R P 93/2012.

EXT. P4:- TRUE COPY OF THE DRAFT STATEMENT ISSUED BY THE IST RESPONDENT TO THE PETITIONERS FATHER, IN S M CASE NO 266/76.

EXT. P5:- TRUE COPY OF THE CLAIM PETITION FILED BY THE PETITIONER BEFORE THE IST RESPONDENT IN S M CASE NO 266/76

RESPONDENT(S) ' EXHIBITS :

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NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

**P.R. RAMACHANDRA MENON, J.**

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**W.P(C). No. 4005 of 2015**  
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**Dated this the 19<sup>th</sup> day of February, 2015**

**J U D G M E N T**

The petitioner has approached this Court with the following prayers:

- “a) Issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents 1 and 2 to consider Ext.P5 claim petition filed by the petitioner before the Taluk Land Board, Mannarkkad for excluding the property viz. the cashew plantation comprised in Sy.No.78/1 of Alanallur Village.*
- b) Award to the petitioner the costs of these proceedings;*
- c) Grant such other or further relief as this Hon'ble Court deems fit to grant in the particular facts and circumstances of the case.”*

2. The petitioner has filed Ext.P5 claim petition before the 1<sup>st</sup> respondent, which is pending consideration. It is stated that the petitioner will be satisfied, if a direction is given to the 1<sup>st</sup> respondent to have it considered and finalised within a reasonable time.

3. Heard the learned Government Pleader as well.

4. After hearing both sides, this writ petition is disposed

of, directing the 1<sup>st</sup> respondent to consider and pass appropriate orders on Ext.P5, in accordance with law, after affording an opportunity of hearing to the petitioner and other interested parties, if any. It shall be done, as expeditiously as possible, at any rate, within a period of 'four months' from the date of receipt of a copy of this judgment. 'Status quo' shall be maintained till such time.

The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 1<sup>st</sup> respondent for further steps.

Sd/-

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

Pn