

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

WP(C).No.4187 of 2015 (W)

PETITIONER:

CHACKO,S/O.THOMAS,VAZHAKADAVATH,PERUVANNAMUZH.

BY ADV. SRI.M.BALAGOVINDAN

RESPONDENTS:

- 1. THE THASILDAR,OFFICE OF THE TAHSILDAR,
KOYILANDY,KOZHIKODE DISTRICT,PIN-673305.**
- 2. VILLAGE OFFICER,OFFICE OF THE VILLAGE OFFICER,
PERAMBRA,KOZHIKODE,PIN-673525.**
- 3. AJEESH JOSEPH,PALAMTHALAIKKAL,
CHAKKITTAPARA,KOZHIKODE DISTRICT,
PIN-673526.**

**R1 & R2 BY GOVT. PLEADER SMT.C.K.SHERIN.
R3 BY ADV.SRI.P.V.JAYACHANDRAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.4187 of 2015 (W)

APPENDIX

PETITIONER'S EXHIBITS:

P1:- TRUE COPY OF THE SALE DEED.

P2:- TRUE COPY OF THE ORDER OF THE VILLAGE OFFICER, DTD 9/12/2014.

**P3:- TRUE COPY OF THE REPRESENTATION DTD 15/1/2015 TO THE FIRST
RESPONDENT.**

P4:- TRUE COPY OF THE RECEIPT EVIDENCING ITS ACKNOWLEDGEMENT.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

K. VINOD CHANDRAN, J

W.P(C) No. 4187 of 2015

Dated this the 11th day of June, 2015

J U D G M E N T

The petitioner is aggrieved by the non-consideration of the prayer for mutation in the revenue records with respect to a property covered by Ext.P1 title deed. The 3rd respondent has obviously sold the property to the petitioner herein.

2. The learned Government Pleader submits that the 1st respondent had called for a report from the 2nd respondent and that the same is awaited. It is also submitted that a revenue recovery proceeding is initiated against the property.

3. With respect to the revenue recovery proceedings, it is trite that if an attachment has been made on a property the same will run with the property and the petitioner cannot escape from the liability on the property; merely because a transfer has been effected or even that the mutation has been carried out. The

transfer would, even on mutation being effected, subject to any attachment. 2nd respondent shall expedite the report and the Tahsildar shall carry out mutation, if there is no other legal impediment.

Writ petition is disposed of.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

jma //true copy//

P.A to Judge