

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 4300 of 2015 (J)

PETITIONER(S):

**K.A.THANKACHAN, AGED 49 YEARS,
S/O.ANTHAPPAN, KATTIKKATTU HOUSE,
60TH MILE, KALLAR POST,
ANAVIRATTY VILLAGE, IDUKKI DISTRICT.**

BY ADV. SRI.S.JIJI.

RESPONDENT(S):

- 1. THE TAHSILDAR,
DEVIKULAM TALUK OFFICE,
DEVIKULAM - 685 513.**
- 2. THE VILLAGE OFFICER,
ANAVIRATTY VILLAGE OFFICE,
ANAVIRATTY -685 561.**

BY SR. GOVT. PLEADER SRI.MUHAMMED SHAFI. M.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 4300 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P-1: TRUE COPY OF THE SALE DEED NO.2004/1994 OF S.R.O.,
DEVIKULAM.
- EXT.P-2: TRUE COPY OF THE PATTA NO.12760 ISSUED AS PER ORDER IN
L.A.NO.68/93 BY THE SPECIAL TAHSILDAR (L.A.), DEVIKULAM.
- EXT.P-3: TRUE COPY OF THE B.T. RECEIPT DATED 18.03.2011.
- EXT.P-4: TRUE COPY OF THE POSSESSION CERTIFICATE AND ISSUED BY
THE 2ND RESPONDENT.
- EXT.P-5: TRUE COPY OF THE APPLICATION DATED 31.01.2015.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.4300 OF 2015
.....

Dated this the 13th February, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

"i) call for the records with regard to the proceedings taken on Ext.P5 application pending before the respondents and issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to consider and pass necessary orders on Ext.P5 application by issuing genuineness certificate of the property and directing 2nd respondent to accept basic tax and issue possession certificate of the property in the name of the petitioner within a time frame ; and

ii) issue such other writ or direction which this Hon'ble Court may deem fit and proper on the facts and circumstances of the case and in the interest of justice."

2. The learned Counsel for the petitioner submits that the grievance of the petitioner has already been projected by way of Ext.P5, which is pending consideration before the first respondent/Tahsildar, Devikulam. As evident from the endorsement made by the first respondent on Ext.P5, a report

has already been called for from the second respondent/Village Officer. The prayer is to cause Ext.P5 to be considered and finalised within the shortest possible time.

3. Heard the learned Government Pleader as well.

4. Considering the limited nature of relief pressed before this Court, it is not necessary to adjudicate the issue on merits. Accordingly, the writ petition is disposed of directing the first respondent/Tahsildar to consider and finalise Ext.P5, as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of the judgment. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the first respondent/Tahsildar for further steps.

P.R.RAMACHANDRA MENON
JUDGE

/k