

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 4536 of 2015 (N)

PETITIONER(S):

**MUHAMMAD, AGED 41 YEARS
S/O. ABDULLAH, MECHERI MUNDANKOTTIL
KARUVAMBRAM
MALAPPURAM-676 123.**

BY ADV. SRI.M.K.CHANDRAMOHAN DAS

RESPONDENT(S):

- 1. THE SUB REGISTRAR
MONGAM, MALAPPURAM DISTRICT-676 505.**
- 2. THE DISTRICT REGISTRAR
MALAPPURAM DISTRICT-676 505.**
- 3. THE DISTRICT COLLECTOR
MALAPPURAM DISTRICT-676 505.**

BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 4536 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 : COPY OF THE REGISTERED DOCUMENT NO.2050/10 OF MONGAM SUB
REGISTRY.**

P2 : COPY OF THE ORDER DTD.15.10.2014.

P3 : COPY OF THE REPRESENTATION DTD.6.11.2014.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P. A. TO JUDGE

STK

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 4536 of 2015

Dated this the 12th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of certiorari or any other writ, order of direction directing the respondents to call for records leading to Ext.P2 and quash the same as ultra vires, biased, violative of natural justice and therefore illegal.

ii. To issue a writ of mandamus or any other writ or order or direction directing the 3rd respondent District Collector to consider the matter after giving an opportunity of being heard to the petitioner as envisaged under Section 45B(2) of the Kerala Stamp Act 1959."

2. Heard the learned counsel for the petitioner as well as the Government Pleader. The learned Government Pleader submits that, the impugned order Ext.P2 is an appealable one by virtue of Section 45 B of the Kerala Stamp Act, 1959.

3. In the said circumstance, the petitioner is relegated to approach the statutory authority by way of appeal. Without prejudice to the rights and liberties of the petitioner as above, the writ petition is disposed of. So as to pursue such step, 'status quo' shall be maintained for a period of 'two weeks' from the date of receipt of a copy of this judgment.

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