

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No.4751 of 2015 (T)

PETITIONER :

**C. REJEENA, AGED 32 YEARS
W/O.SELI, PARAYAMVALAPPIL HOUSE, AYALAKKAD P.O.
EDAPPAL, MALAPPURAM DISTRICT**

**BY ADVS.SRI.M.PASHOK KUMAR
SMT.BINDU SREEDHAR
SMT.R.S.MANJULA**

RESPONDENTS :

- 1. THE TAHSILDAR
THALAPPILLY TALUK OFFICE, THALAPPILLY, THRISSUR 680501**
- 2. THE VILLAGE OFFICER
PAMPADI VILLAGE OFFICE, THIRUVILWAMALA
THALAPPILLY TALUK, THRISSUR DISTRICT 680 501**

BY GOVERNMENT PLEADER SRI.E.M.ABDUL KHADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

VS

WP(C).No. 4751 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : PHOTOCOPY OF THE DEED NO.2212/2013**
- EXT.P2 : PHOTOCOPY OF THE ORDER DATED 22.09.2014 PASSED BY
THE DISTRICT COLLECTOR**
- EXT.P3 : PHOTOCOPY OF THE RECEIPT DATED 25.09.2014 SHOWING
THE REMITTANCE OF THE BASIC TAX IN RESPECT OF THE
PROPERTY OWNED BY THE PETITIONER**
- EXT.P4 : PHOTOCOPY OF THE ORDER NO.G8.15462/13 DATED 09.02.2015
ISSUED BY THE ADDITIONAL TAHASILDAR, THALAPPILLY**
- EXT.P5 : PHOTOCOPY OF THE ORDER NO.LRD2 53248/2014 DATED
24.12.2014 ISSUED BY THE LAND REVENUE COMMISSIONER**
- EXT.P6 : PHOTOCOPY OF THE ORDER NO.B5-79611/2014 DATED
17.01.2015 ISSUED BY THE DISTRICT COLLECTOR**

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

A.M.SHAFIQUE, J

W.P.(C).No.4751 of 2015

Dated this the 10th day of April, 2015

JUDGMENT

The petitioner claims to be the owner, who has obtained certain item of property in Pambady Village, Thalappilly Taluk vide Deed No.2212/2013 of Pazhayannoor Sub Registry. The petitioner obtained mutation of the said property on the basis of direction issued by the District Collector, as per Ext.P2 dated 22.9.2014 and the tax has been paid as evident from Ext.P3 dated 25.9.2014. According to the petitioner, when the petitioner offered tax for the subsequent year, the authority didn't accept the land tax and accordingly this writ petition is filed seeking for a direction to the second respondent to accept the land tax from the petitioner in respect of the property owned by him in terms of Ext.P1.

2. During the pendency of the writ petition, the petitioner produced Ext.P4, an order passed by the Additional Thasildar, by which, proceedings had been

issued to cancel the decision taken for mutating the property, in favour of C.Rejeena, the petitioner having an extent of 2 hectares 07 ares and 20.64 square meter, which was done pursuant to Ext.P2 order dated 22.9.2014.

3. The petitioner has also produced Exts.P5 and P6 by which, Land Revenue Commissioner as well as the District Collector had given directions to the revenue authority to cancel the mutation. The learned Government Pleader submits that, this decision was taken on the basis on a vigilance enquiry into the matter and appropriate action is being taken against the revenue officer who has effected the mutation and assigned the land in favour of the petitioner, which according to the enquiry is contrary to the provisions of Kerala Land Reforms Act.

4. Having regard to the aforesaid submissions, I do not think that a direction can be issued as prayed for. If the petitioner has any grievance that there is wrongful cancellation of the mutation, it is open for the petitioner to take appropriate proceedings in accordance with the provisions under the Transfer of Registry Rules.

In the result there being no merit in the writ petition it is accordingly dismissed.

Sd/-
A.M.SHAFFIQUE
JUDGE

VS

/TRUE COPY/

PA TO JUDGE