

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

WP(C).No. 7642 of 2013 (E)

PETITIONER(S):

- 1. SHERLY JOY, AGED 44 YEARS
W/O. K.J. JOY, RESIDING AT HOUSE NO. XX/171
KAROTTE HOUSE, MALAYINKEEZHU, KOTHAMANGALAM
ERNAKULAM DISTRICT, PIN-686691.**
- 2. JOSE AUGUSTINE K., AGED 37 YEARS
S/O. K.P. AUGUSTINE, RESIDING HOUSE NO. VI/221
KACHAPPILLY HOUSE, KIDANGUR.P.O., THURAVUR KARA
PANCHAYATH AND VILLAGE, ANGAMALY TALUK
ERNAKULAM DISTRICT. PIN-686572.**

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY
DEPARTMENT OF REVENUE GOVERNMENT SECRETARIAT
TRIVANDRUM-695001.**
- 2. THE TAHASILDAR,
TALUK OFFICE, KOTHAMANGALAM
ERNAKULAM DISTRICT PIN-686691.**
- 3. VILLAGE OFFICER
VILLAGE OFFICE, KOTHAMANGALAM
ERNAKULAM DISTRICT PIN-686691.**
- 4. THE MANAGER
CANARA BANK, CHERIA PALLI BUILDING, A.M. ROAD
KOTHAMANGALAM BRANCH
KOTHAMANGALAM ERNAKULAM DISTRICT PIN-686691.**

**R4 BY SRI.M.GOPINATHA MENON SC, CANARA BANK
R4 BY ADV. SRI.P.BENNY THOMAS
R4 BY ADV. SRI.K.JOHN MATHAI
BY GOVERNMENT PLEADER SRI. V.K. REFEEK**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 7642 of 2013 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT.P1 TRUE COPY OF LEASE DEED DATED 26-8-2011 EXECUTED 2ND PETITIONER, 1ST PETITIONER AND HER HUSBAND.

EXHIBIT.P2 TRUE COPY OF PLAINT DATED 16-3-11 FILED BY 4TH RESPONDENT AS OS NO. 55/11 BEFORE SUB COURT MUVATTUPUZHA AGAINST 1ST PETITIONER AND OTHERS.

EXHIBIT.P3 TRUE COPY OF ATTACHEMENT ORDER NO. B3-9118/09 DATED 2-11-12 ISSUED BY 4TH RESPONDENT BANK TO 1ST PETITIONER.

EXHIBIT.P4 TRUE COPY OF REPLY DATED 14-12-12 SUBMITTED BY 1ST PETITIONER TO 4TH RESPONDENT BANK.

EXHIBIT.P5 TRUE COPY RECEIPT DATED 14-12-12

EXHIBIT.P6 TRUE COPY OF RECEIPT DATED 14-12-12.

EXHIBIT.P7 TRUE COPY OF PHYSICAL DISABILITY CERTIFICATE DATED 29-5-11 ISSUED BY MEDICAL BOARD DISTRICT HOSPITAL ALUVA TO 2ND PETITIONER.

EXHIBIT.P8 TRUE COPY OF APPLICATION DATED 12-3-13 SUBMITTED BY 2ND PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENTS EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

SKV

P.V.ASHA, J.

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W.P.(C). No.7642 OF 2013

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Dated this the 17th day of June, 2015

JUDGMENT

Heard the learned counsel appearing for the parties. This writ petition is filed challenging the proceedings based on Ext.P3 and for a direction to respondents 2 and 3 to issue ownership and possession certificate of 63 cents of property comprised in Survey No.925/4A of Kothamangalam Village owned by the 1st petitioner and possessed by the 2nd petitioner as per Ext.P1 lease agreement, irrespective of Ext.P3 attachment order. The learned counsel appearing for the 4th respondent as well as the learned Government Pleader submit that the issue raised in the writ petition is already settled and the petitioner has paid off the amount due to the 4th respondent bank.

2. Learned Government Pleader submitted that the possession certificate was already issued to petitioner on 14.5.2013. Therefore, no further relief is required in this writ petition.

Accordingly, this writ petition is closed.

Sd/-
P.V. ASHA, JUDGE