

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 12851 of 2007 (E)

PETITIONER(S):

**NARAYANI NAGAMMA,
VADAKKE THOPPIL VEEDU, KALMANAM P.O.,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.M.BALAGOVINDAN
SRI.SASITH PANICKER**

RESPONDENT(S):

- 1. REVENUE DIVISIONAL OFFICER,
OFFICE OF THE R.D.O., FORT, THIRUVANANTHAPURAM.**
- 2. SUPERINTENDENT OF SURVEY AND LAND RECORDS,
OFFICE OF THE SUPERINTENDENT OF SURVEY,
OF LAND RECORDS, THIRUVANANTHAPURAM.**
- 3. TALUK SURVEYOR,
OFFICE OF THE SUPERINTENDENT OF SURVEY AND
LAND RECORDS, NEMOM, THIRUVANANTHAPURAM.**
- 4. SUKUMARAN, S/O. CHINNAKALU,
VADAKKETHOPPIL VEEDU, KAIMANAM P.O.,
THIRUVANANTHAPURAM.**
- 5. VIJAYAN,
VADAKKE THOPPU VEEDU, NEERAMANKARA, KARUMAM.**

**R1 TO R3 BY GOVERNMENT PLEADER SRI.MANOJ P. KUNJACHAN
R4 BY ADV. SRI.R.BINDU SASTHAMANGALAM
R5 BY ADV. SRI.PRAVEEN VYASAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 12851 of 2007 (E)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF THE ORDER IN W.P.4638/2005 OF THIS HON'BLE COURT
DTD.17.2.2005.**

**EXT.P2: TRUE COPY OF THE DEATH CERTIFICATE EVIDENCING THE DEMISE OF
NARAYANI.**

**EXT.P3: TRUE COPY OF THE PLAINT IN OS.737/2005 OF THE MUNSIFF COURT,
DTD.25.5.2005.**

**EXT.P4: TRUE COPY OF THE REVIEW PETITION IN W.P.4638/2006 FILED BY THE
PETITIONER DTD.7.11.2005.**

**EXT.P5: TRUE COPY OF THE REPRESENTATION BY THE PETITIONER AND 23 OTHERS
TO THE FIRST RESPONDENT.**

**EXT.P6: TRUE COPY OF THE ASSIGNMENT ORDER UNDER KANDUKRISHI
DTD.9.8.1963.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms^v/

K. Vinod Chandran, J

W.P.(C).No.12851 of 2007-E

Dated this the 02nd day of June, 2015

JUDGMENT

The petitioner in the above writ petition contends that, the measurement attempted of the property was to defeat a suit pending between the petitioner and respondents 4 and 5.

2. Since admittedly a civil suit was pending, the measurement, if at all, conducted would be subject to the result of the suit. In such circumstance, there is no scope for invocation of jurisdiction under Article 226 of the Constitution.

The writ petition would stand dismissed. No costs.

Sd/-
K.Vinod Chandran
Judge.

vku/-

[true copy]