

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

WP(C).No. 6258 of 2015 (F)

PETITIONER(S):

**A.D. BHANUMATHI, W/O.REGHUVARAN,
AGED 60 YEARS, PARATHAMPARAMBIL HOUSE,
PULLARDESOM, PALLURUTHY, KOCHI - 682 006.**

**BY ADVS.SRI.N.RATHEESH,
SMT.SUMA RATHEESH.**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
REVENUE DEPARTMENT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE TAHSILDAR,
KOCHI TALUK AT FORTKOCHI - 682 001.**
- 3. THE VILLAGE OFFICER,
RAMESWARAM VILLAGE, KOCHI - 682 006.**

BY GOVT.PLEADER SRI.K.C. VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1: TRUE COPY OF THE FINAL DECREE DATED 27.10.2009 IN I.A.NO.1205/1996 IN O.S.NO.200/92 ON THE FILE OF THE SUB COURT, KOCHI.
- EXT.P2: TRUE COPY OF THE DELIVERY REPORT OF THE AMIN DATED 30.10.2010 IN O.S.NO.200/92 ON THE FILE OF THE SUB COURT, KOCHI.
- EXT.P2(A): TRUE COPY OF DELIVERY RECEIPT ISSUED BY THE PETITIONER IN EXT.P2.
- EXT.P3: TRUE COPY OF THE APPLICATION DATED 18.01.2011 SUBMITTED BEFORE THE TALUK LEGAL SERVICES COMMITTEE.
- EXT.P4: TRUE COPY OF THE AWARD DATED 12.03.2011 PASSED BY THE LOK ADALAT.
- EXT.P5: TRUE COPY OF THE ENCUMBRANCE CERTIFICATE DATED 22.11.2010.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

P.R.RAMACHANDRA MENON, J.

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Dated this the 18th day of March, 2015

JUDGMENT

The petitioner is aggrieved of the delay on the part of the third respondent in effecting mutation of the property covered by Ext.P4 award passed by the Lok Adalath on 12.3.2011. The sequence of evidence narrated in the petition is that as per Ext.P1 final decree passed by the Sub Court, Kochi and other incidental proceedings, the petitioner got the right over the property concerned which was sought to be enjoyed in a better manner by causing mutation to be effected in terms of the Transfer of Registry Rules.

2. There occurred some resistance from the opposite side and finally the matter was settled as per Ext.P4 award dated 12.3.2011, as mentioned above, whereby, it was agreed that mutation in respect of 2.100 cents of land in survey No.893/1 of Rameswaram Village will be caused to be effected in the name of the petitioner herein. The said award was passed as early as on

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12.3.2011, that is more than four years ago. The same is still to be given effect to and hence the writ petition.

3. Heard the learned Government Pleader as well.

After hearing both the sides and after going through the materials on records, this Court finds that there cannot be any tenable ground to resist the relief sought for. In such circumstances, respondents 2 and 3 are directed to give effect to Ext.P4 award passed by the Lok Adalath, consider the application preferred by the petitioner in this regard and effect the mutation in respect of the said property in favour of the petitioner subject to satisfaction of other requirements in accordance with law. The tax payable by the petitioner in respect of the property under the Kerala Land Tax Act shall also be accepted as and when the same is tendered.

The writ petition stands disposed.

Sd/-

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

rkc.