

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

WP(C).No.6448 of 2015 (E)

PETITIONER'S:

1. **MATHEW WILSON,NADUVILKUNNATH HOUSE,
CHILAVANNOOR,KADAVANTHARA,ERNAKULAM-682 020.**
2. **FRANCIS XAVIER,NADUVILKUNNATH HOUSE,
CHILAVANNOOR,KADAVANTHARA,ERNAKULAM-682 020.**
3. **JOHNSON N.T,NADUVILKUNNATH HOUSE,
CHILAVANNOOR,KADAVANTHARA,ERNAKULAM-682 020.**

**BY ADVS.SRI.AUGUSTINE JOSEPH
SRI.K.S.ROCKEY
SRI.TONY AUGUSTINE**

RESPONDENTS:

1. **THE DISTRICT COLLECTOR,IDUKKI-685 613.**
2. **THE TAHSILDAR,TALUK OFFICE,DEVIKULAM,IDUKKI-685 613.**
3. **THE VILLAGE OFFICER,PALLIVASSAL,IDUKKI-685 565.**
4. **THE SURVEYOR,TALUK OFFICE,DEVIKULAM,IDUKKI-685 613.**
5. **STATE OF KERALA,REPRESENTED BY THE SECRETARY,
REVENUE DEPARTMENT,GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**

R1 TO R5 BY SPECIAL GOVT. PLEADER SMT.SUSHEELA R.BHATT(REVENUE)

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.6448 of 2015 (E)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1: TRUE COPY OF THE DOCUMENT NO.318/95 DATED 8-2-1995 OF THE
SUB REGISTRAR OFFICE, DEVIKULAM.**

**EXHIBIT P2: TRUE COPY OF THE DOCUMENT NO.187/99 DATED 21-07-1999 OF
THE SUB REGISTRAR OFFICE, DEVIKULAM.**

**EXHIBIT P3: TRUE COPY OF THE DOCUMENT NO.319/95 DATED 8-2-1995 FROM
THE SUB REGISTRAR OFFICE, DEVIKULAM.**

**EXHIBIT P4: TRUE COPY OF THE PROCEEDINGS DATED 26-2-2007 OF THE 1ST
RESPONDENT IN RESPECT OF THE LAND OF THE 1ST PETITIONER.**

**EXHIBIT P5: TRUE COPY OF THE PROCEEDINGS DATED 26-2-2007 OF THE 1ST
RESPONDENT IN RESPECT OF THE LAND OF THE 3RD PETITIONER.**

**EXHIBIT P6(a) TRUE COPY OF THE APPLICATION DATED 5-1-2010 OF THE 1ST
PETITIONER.**

**EXHIBIT P6(b): TRUE COPY OF THE APPLICATION OF THE 2ND PETITIONER
DATED 5-1-2010.**

**EXHIBIT P6(c): TRUE COPY OF THE APPLICATION OF THE 3RD PETITIONER
DATED 5-1-2010.**

**EXHIBIT P7: TRUE COPY OF THE NOTICE DATED 7-11-2012 FROM THE 4TH
RESPONDENT TO THE 1ST PETITIONER.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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P.R.RAMACHANDRA MENON, J.
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W.P.(C) No.6448 of 2015
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Dated this the 27th day of March, 2015

ORDER

The petitioners have approached this Court with the following prayers:

- i) *Issue a writ of mandamus or any other writ, order or direction to the respondents to survey and demarcate the properties of the petitioners based on Ext.P6 series of applications within a time schedule.*
- ii) *Issue such other writs, orders, directions including interim orders deem fit in the circumstances of the case.*
- iii) *Allow this writ petition with costs.*

2. The learned counsel for the petitioners points out that the petitioners are having the ownership, possession and title over the property concerned, which is situated in a hilly area. A portion of the property was acquired in the year 2007, in favour of the Kerala State Electricity Board. Subsequently, the petitioners submitted an application, way back in the year 2010, vide Ext.P6 series, for causing the balance land to be surveyed and demarcated. The petitioners were, in fact, called for a survey

adalath in the year 2012. But, the matter is still to be finalised and hence, the writ petition.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is disposed of, directing the concerned respondent to consider and pass appropriate orders on Ext.P6 series in accordance with law, after affording an opportunity of hearing to the petitioner at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment.

The petitioners shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

Sd/-

P.R.RAMACHANDRA MENON, JUDGE

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