

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 6457 of 2015 (F)

PETITIONER(S):

1. KANTHAYYA, TYPE II/8, WD QUARTERS,
DEVIKULAM ROAD, MUNNAR, IDUKKI DISTRICT.
2. V.POOMANI JAYA, W/O. KANTHAYYA,
TYPE II/8, WD QUARTERS, DEVIKULAM ROAD,
MUNNAR, IDUKKI DISTRICT.

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENT(S):

1. THE TAHASILDAR,
DEVIKULAM, IDUKKI, PIN - 685561.
2. THE VILLAGE OFFICER,
MASRAYUR VILLAGE,
IDUKKI DISTRICT-685584.
3. TALUK SURVEYOR, TALUK OFFICE,
DEVIKULAM, IDUKKI DISTRICT, PIN-685561.

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1- TRUE COPY OF DOCUMENT NO. 1669 DATED 22-9-1989 OF DEVIKULAM SUB REGISTRY.
- EXHIBIT P2- TRUE COPY OF DOCUMENT NO. 1313 DATED 4-6-1990 OF DEVIKULAM SUB REGISTRY.
- EXHIBIT P3- TRUE COPY OF THE REQUEST DATD 8-12-2010 SUBMITTED BY THE 1ST PETITIONER BEFORE THE 1ST RESPONDENT.
- EXHIBIT P4- TRUE COPY OF REPORT DATED 31-5-2011 OF THE 2ND RESPONDENT.
- EXHIBIT P5- TRUE COPY OF REPORT DATED 28-01-2012 SUBMITTED BY THE 3RD RESPONDENT.
- EXHIBIT P6- TRUE COPY OF THE LETTER DATED 30-9-2014 OF THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 6457 of 2015

Dated this the 19th day of March, 2015

J U D G M E N T

The petitioners have approached this Court with the following prayers:

- "A) Issue a writ of mandamus or any other appropriate writ or order, directing the respondents to consider Exhibit P3 complaint in the light of Exhibits P-4 and P-5 reports and pass appropriate orders forthwith,*
- B) Hold that the petitioners are entitled to have the entries in relation to their land corrected as recommended in Exhibits P-4 and P-5 reports,*
- C) Issue a writ of mandamus or any other appropriate writ or order, directing the respondents to carryout necessary corrections in the BTR and other Registers in relation to the petitioners' properties covered by Exhibits P-1 and P-2 documents, and*
- D) Issue such other writ, order or direction as are deemed just and proper on the facts and circumstances of the case."*

2. The learned counsel for the petitioners submits that, some mistake has occurred on the part of the authorities of the Revenue, whereby the name of the 1st respondent has been shown as Thankayya in the Revenue records in place of the actual name 'Kanthayya'. When the petitioners moved the concerned

respondent to have it corrected the petitioners have been given to understand that some mistake is there in the Re-Survey number as well. It was accordingly, that the matter was enquired into and a report has been submitted by the respondents 2 and 3 vide Exts.P4 and P5 suggesting the ways and means to have the defect rectified. The matter is still to be finalized, which made the petitioners to approach this Court by filing the writ petition.

3. Heard the learned Government Pleader as well.

4. The writ petition is disposed of, directing the 1st respondent to consider Ext.P3 in the light of Exts.P4 and P5 and other relevant materials, if any, and appropriate orders shall be passed after affording an opportunity of hearing to the petitioners. It shall be done, at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of the judgment.

The petitioners shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.