

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

WP(C).No. 6610 of 2015 (A)

PETITIONER :

**SANDHYA, AGED 37 YEARS,
W/O.VINOD KUMAR P, PARAPPATH VRINDAVAN HOUSE,
CHERANELLOOR FERRY ROAD, MANJUMMEL P.O., ERNAKULAM.**

**BY ADVS.SRI.I.DINESH MENON
SRI.L.RAJESH NARAYAN**

RESPONDENTS :

- 1. DISTRICT COLLECTOR, ERNAKULAM
COLLECTORATE P.O., KAKKANAD, ERNAKULAM - 682 030.**
- 2. THE VILLAGE OFFICER,
ELOOR, ERNAKULAM DISTRICT - 683 513.**
- 3. THE ADDITIONAL TAHSILDAR,
PARAVOOR, ERNAKULAM DISTRICT 683 513.**

R1 TO R3 BY GOVERNMENT PLEADER SRI.K.C. VINCENT

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

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE SETTLEMENT DEED NO.2574/2014 DATED 7/6/14 OF THE SRO, ALANGAD.
- P2: TRUE COPY OF THE BASIC TAX RECEIPT NO.4741195 DATED 19/7/2014.
- P3: TRUE COPY OF THE BUILDING PERMIT DATED 20/10/2014 BEARING NO.PW1-BA(3409)/2014
- P4: PHOTOGRAPHS OF THE PROPERTY.
- P5: TRUE COPY OF THE REQUEST DATED 13/1/2015.
- P6: TRUE COPY OF THE COMMUNICATION DATED 15/1/2015 BEARING NO.KDIS-594/2015/D1
- P7: TRUE COPY OF THE CERTIFICATE DATED 23/7/2014 BEARING NO.D1-1840/14

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.6610 of 2015

Dated this the 3rd day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ in the nature of certiorari or any other appropriate writ, order or direction calling for the records leading up to Ext.P6 and quash the same;

ii. Issue a writ in the nature of mandamus or any other appropriate writ, order or direction commanding respondents 2 and 3 to consider Ext.P5 request and grant the same after physical verification of the land if required, as has been done while granting Ext.P7;

iii. Issue any such other writ, appropriate order or direction as this Hon'ble Court may deem fit and proper considering the facts and circumstances of the case."

2. The learned counsel for the petitioner submits that, the grievance projected by the petitioner by way of Ext.P5 was considered and rejected as per Ext.P6, whereas under similar circumstances Ext.P7 Certificate has been issued as to actual nature of the property. It is stated that, the petitioner will be

satisfied, if a similar Certificate as that of Ext.P7 is issued, after verifying the status of the petitioner's property.

3. Heard the learned Government Pleader as well.

4. In the above circumstances, the 3rd respondent is directed to reconsider the matter and ascertain whether the property involved in the present case is similar to the property as covered by Ext.P7 and if so, to issue necessary Certificate as in the case of Ext.P7 to the petitioner. This exercise shall be done at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the third respondent, for further steps.

The writ petition is disposed of.

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

sp