

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 6739 of 2015 (N)

PETITIONER :

**MATHEWS KAKKANATTUPARAMBIL,
S/O.ABRAHAM, PARAMBAMCHERRY, PULINTHANAM P.O.,
EANANALLOOR, MUVATTUPUZHA
REP.BY HIS POWER OF ATTORNEY PAUL JOSEPH, S/O.JOSEPH
KUREEKAVEEPATTU HOUSE, THAMARACHAL, KIZHAKKAMBALAM P.O
PIN-683562**

BY ADV. SRI.K.G.CLEETUS

RESPONDENTS :

- 1. STATE OF KERALA
REP.BY CHIEF SECRETARY,
SECRETARIAT THIRUVANANTHAPURAM 695001.**
- 2. DISTRICT COLLECTOR
OFFICE OF THE DISTRICT COLLECTOR,
CIVIL STATION KAKKANAD P.O. 682 030**
- 3. TAHSILDAR (ADDL.)
OFFICE OF THE TAHSILDAR
KUNNATHUNADU TALUK, PERUMBAVOOR - 683 542.**
- 4. TALUK SURVEYOR,
KUNNATHUNADU TALUK, PERUMBAVOOR - 683 542.**

R1 TO R4 BY GOVERNMENT PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE SALE DEED NO.902/1/04 DATED 16-02-2004 OF SRO PUTHENCruz.
- EXT.P2: TRUE COPY OF THE VILLAGE TAX RECEIPT UNDER THE THANDAPER NO.5723.
- EXT.P3: TRUE COPY OF THE FORM 8 APPLICATION BEFORE THE TAHSILDAR (ADDL.) KUNNATHUNADU TALUK ON 01-12-2014
- EXT.P4: TRUE COPY OF THE APPLICATION DATED 09-12-2014 SUBMITTED TO THE 2ND RESPONDENT.
- EXT.P5: TRUE COPY OF THE ACKNOWLEDGMENT RECEIPT FROM THE OFFICE OF THE 2ND RESPONDENT.
- EXT.P6: TRUE COPY OF THE SURVEY SKETCH OF EXT.P1 PROPERTY GIVEN BY THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 6739 of 2015

Dated this the 4th day of March, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

- “(i) to issue a writ of mandamus, or appropriate writ, order a direction to the respondents 3 and 4 to survey, demarcate and sub divide the property covered by Ext.P1 pursuant to Ext.P3 application.*
- (ii) to grant such other reliefs which are just and proper in the circumstances of the case.”*

2. Heard the learned Government Pleader as well.

3. Considering the limited extent of relief sought for, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of, directing the 3rd respondent to consider and pass appropriate orders on Ext.P3, in accordance with law, so as to survey, demarcate and sub divide the property covered by Ext.P1. It shall be done, after affording an opportunity of hearing to the petitioner and other interested parties, if any, at the earliest, at any rate within 'three months' from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 3rd respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.

Pn