

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 6842 of 2015 (E)

PETITIONER :

**NAZARULLAKHAN T.P.,AGED 53 YEARS,
S/O.A.PICHA MOHAMMED RAWTHER,
R/AT THEVALA THEKKETHIL, MANGARAM, PANDALAM P.O.,
ADOOR TALUK, PATHANAMTHITTA DISTRICT, PIN: 689 501.**

**BY ADVS.SMT.T.S.MAYA (THIYADIL)
SRI.P.YAHAMMED PHYSI**

RESPONDENT(S):

- 1. KERALA STATE
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN: 695 001.**
- 2. ASST. ENGINEER, PUBLIC WORKS DEPARTMENT (ROADS),
PANDALAM ROAD SECTION, PANDALAM, PIN: 689 501.**

***ADDL.R3 IMPEADED**

***ADDL.R3: NEELAKANTAN,AGED 83 YEARS, S/O.SANKARAN,
PUSHPAVILASAM, MANGARAM, M.S.M (PO), PANDALAM.**

***ADDL.R3 IS IMPEADED AS PER ORDER DATED 07/09/2015 IN
IA.NO.12555/2015**

**R1 & R2 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
ADDL. R3 BY ADV. SRI.K.SASIKUMAR
SRI.S.ARAVIND**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 6842 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: THE COPY OF THE JUDGMENT IN WPC.NO.1014/2015 OF THE HON'BLE HIGH COURT DATED 27/1/2015.**
- P2: THE COPY OF THE DIRECTION ISSUED BY THE LAND ASSIGNMENT THAHASILDAR DATED 15/7/2014.**
- P3: THE COPY OF NOTICE ISSUED BY THE ASST. ENGINEER PANDALAM ROAD SEC TO THE PETITIONER DTD. 27/2/2015.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.6842 of 2015

Dated this the 7th day of September, 2015.

J U D G M E N T

I.A.12555/15

Heard. Allowed.

The petitioner, aggrieved by the notice issued under the Kerala Land Conservatory Rules, has approached this Court.

2. It appears that action has been initiated at the instance of additionally impleaded respondent. The petitioner's case is that he has not encroached upon any land. The petitioner submits that he is a beneficiary of Ext.P2 allotment made by the Tahsildar.

3. This Court is of the view that, the petitioner shall raise his objections against Ext.P3 before the 2nd respondent. This shall be done within a period of 2 weeks of receipt of copy of this judgment. Thereafter, the 2nd respondent, after hearing the petitioner and the additionally

impleaded respondent, take appropriate decision within one month thereafter. Further action shall be based on the final order passed by the 2nd respondent.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge