

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

WP(C).No. 7330 of 2015 (M)

PETITIONERS :

- 1. THRESSIA, AGED 53 YEARS,
W/O KUNJIPOULO, THANDAPPILLY HOUSE,
MAMBREKKARA, KARUKUTTY P.O., PIN:683577.**
- 2. T.P.VARGHESE, S/O KUNJIPOULO,
THANDAPPILLY HOUSE, MAMBREKKARA,
KARUKUTTY P.O., PIN:683577.**

**BY ADVS.SRI.T.P.SAJAN
SRI.M.MOHAMED NAVAZ
SRI.P.SANTHOSH KUMAR (TR)**

RESPONDENTS :

- 1. REVENUE DIVISIONAL OFFICER,
OFFICE OF THE RDO, FORTKOCHI, KOCHI-682001.**
- 2. THAHSILDAR
ALUVA TALUK, ALUVA, PIN:683101.**
- 3. VILLAGE OFFICER,
OFFICE OF THE VILLAGE OFFICER,
KARUKUTTY VILLAGE PIN:683577.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE COMPLAINT DATED 27.1.2014 FILED BEFORE THE CIRCLE INSPECTOR OF POLICE.

EXHIBIT P2: TRUE COPY OF THE COMPLAINT DATED 6.2.2014 FILED BEFORE THE FIRST RESPONDENT.

EXHIBIT P3: TRUE COPY OF THE REPORT DATED 19.2.2014 SUBMITTED BY THE THIRD RESPONDENT.

EXHIBIT P4: TRUE COPY OF THE REPORT DATED 3.11.2014 SUBMITTED BY THE SECOND RESPONDENT.

EXHIBIT P5: TRUE COPY OF THE LETTER DATED 17.12.2014 ISSUED BY THE SECOND RESPONDENT.

EXHIBIT P6: TRUE COPIES OF THE APPLICATIONS DATED 28.2.2014 SUBMITTED BY THE PETITIONER FOR CONDUCTING SURVEY IN ACCORDANCE WITH OLD SURVEY RECORDS.

EXHIBIT P7: TRUE COPIES OF THE APPLICATIONS DATED 28.2.2014 SUBMITTED BY THE PETITIONER FOR IMPEADING THE ERSTWHILE LANDOWNER.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 7330 of 2015

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Dated, this the 9^h day of March, 2015

JUDGMENT

The petitioners have approached this Court with the following prayers :

A. Call for the records leading to Exts. P6 and P7 applications and issue a writ of mandamus or any other appropriate writ order or direction, commanding the first respondent to consider and pass orders on Ext. P6 application by directing the second respondent to survey and measure the disputed pathway and property in accordance with the old survey records and title deeds of the parties.

B. Issue a writ of mandamus or any other appropriate writ order or direction, commanding the first respondent to consider and pass orders on Ext. P6 and Ext. P7 application before final disposal of Ext. P2 complaint.

C. To grant such other reliefs as are just and proper in the nature of this Court"

2. The learned counsel for the petitioners submits that the petitioners will be satisfied, if a direction is given to the first

respondent to consider and pass appropriate orders on Exts. P6 and P7 within a reasonable time.

3. Heard the learned Government Pleader as well.

4. 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 first respondent to consider and pass appropriate orders on Exts. P6 and P7 in accordance with law, after affording an opportunity of hearing to the petitioners and other interested parties, if any, at the earliest, at any rate, within six weeks from the date of receipt of a copy of this judgment.

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

sd/-

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

kmd