

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

WP(C).No. 9983 of 2013 (W)

PETITIONERS :

1. **SREE NARAYANA VIDYAPEETOM CHARITABLE TRUST,
REGISTRATION NO.64/2010, AMBAZHACHAL POST,
ADIMALI 685 565, REPRESENTED BY ITS SECRETARY G. AJAYAN**

BY ADV. SRI.P.K.RAVISANKAR

RESPONDENTS :

1. **STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE, SECRETARIAT
THIRUVANANTHAPURAM - 695001**
2. **THE DISTRICT COLLECTOR
IDUKKI, PIN. 685 603**
3. **REVENUE DIVISIONAL OFFICER,
DEVIKULAM, PIN.685 613, IDUKKI DISTRICT**
4. **TAHSILDAR, DEVIKULAM
PIN.685 613, IDUKKI DISTRICT.**
5. **VILLAGE OFFICER, KUNJITHANNI,
ANACHAL POST, PIN.685 565 IDUKKI DISTRICT.**

R1 TO R5 BY SENIOR GOVERNMENT PLEADER SRI. JOSEPH GERGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE PHOTOCOPY OF THE DEED OF TRUST DATED 10-11-2010.
- EXT.P2: TRUE PHOTOCOPY OF THE SALE DEED DATED 24-3-1975
REGISTERED AS DOCUMENT NO.283 OF 1975.
- EXT.P3: TRUE PHOTOCOPY OF THE THANDAPER ACCOUNT MAINTAINED BY
THE 5TH RESPONDENT.
- EXT.P4: TRUE PHOTOCOPY OF THE LOCATION MAP ISSUED TO THE
PREDECESSOR-IN-TITLE OF THE PETITIONER BY THE 5TH
RESPONDENT.
- EXT.P5: TRUE PHOTOCOPY OF THE BUILDING PERMIT ISSUED BY THE
VELLATHOOVAL GRAMA PANCHAYATH.
- EXT.P6: TRUE PHOTOCOPY OF THE SALE DEED DATED 22-1-2011
REGISTERED AS DOCUMENT NO.2981 OF 2011 OF S.R.O., DEVIKULAM.
- EXT.P7: TRUE PHOTOCOPY OF THE LETTER DATED 28-12-2012 ISSUED BY
THE 3RD RESPONDENT TO THE 2ND RESPONDENT .
- EXT.P8: TRUE PHOTOCOPY OF THE CHALAN SHOWING PAYMENT OF
RS.25,000/- DATED 30-7-2012.
- EXT.P9: TRUE PHOTOCOPY OF THE PRESS RELEASE WAS PUBLISHED IN
MALAYALA MANORAMA DATED 19-12-2012

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.9983 of 2013

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Dated this the 18th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayer:

“ i) Issue a writ of mandamus, order or direction directing the respondents to effect mutation in Revenue Records in favour of the petitioner of the property purchased by it as per Exhibit -P6, receive basic tax from the petitioner and issue Possession Certificate to the petitioner of the property covered by Exhibit-P6.

2. When the matter came up for consideration before this Court on 12.06.2013, it was pointed out by the learned Government Pleader that the property was involved in a ceiling case. Subsequently, observing that no statement was filed, an interim order was granted as prayed for when the writ petition was admitted on 26.6.2013, based on which Possession Certificate was issued to the petitioner in respect of the land in question, after effecting mutation. The learned

Government Pleader submits that, the concerned order was passed on 14.01.2008. On being aggrieved by the same, the concerned party has already moved the 3rd respondent by way of revision, which is still pending.

3. The learned counsel for the petitioner points out that, the petitioner purchased the property only as per Ext.P6 sale deed dated 22.11.2011 of the S.R.O Devikulam and that, if the revision preferred by the predecessor-in-title is pending before the 3rd respondent, the petitioner might be permitted to pursue the same.

In the above circumstances, this writ petition is disposed of directing the 3rd respondent to finalise the proceedings as aforesaid, after issuing a notice to the petitioner as well. This shall be done at the earliest, at any rate, within a period of three months from the date of receipt of a copy of the judgment. The interim order already passed by this Court and the subsequent proceedings pursuant to said order shall be subject to the order to be passed by the 3rd respondent in the

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

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

sj