IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

WP(C).No. 7589 of 2015 (W)

PETITIONER:

VAKKACHAN,
PALAMOOTTIL, PERUMADAVU,
KARIPAL P.O, KANNUR DISTRICT.

BY ADVS.SRI.V.PREMCHAND
SRI.V.TEKCHAND

RESPONDENT(S):
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1. **THE DISTRICT COLLECTOR,**
   KANNUR - 670001.

2. **TAHSILDAR,**
   TALIPARAMBA TALUK, KANNUR - 670 141.

3. **THE VILLAGE OFFICER,**
   VELLORA VILLAGE, KANNUR DISTRICT - 670 307.

4. **ERAMAM-KUTTOOR GRAMA PANCHAYAYT,**
   MM BAZAR P.O, MADHAMANGALAM,
   KANNUR DISTRICT, REPRESENTED BY ITS
   SECRETARY - 670 307.

R1 TO R3 BY GOVERNMENT PLEADER SMT.C.K.SHERIN
R4 BY ADV. SRI.M.SASINDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

mbr/

WP(C).No. 7589 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1 : **TRUE COPY OF THE SALE DEED DATED 28/04/1966 EXECUTED IN FAVOUR OF THE PETITIONER.**

EXHIBIT P2 : **TRUE COPY OF THE REPORT DATED 29/08/2014 OF THE 3RD RESPONDENT.**

EXHBIIT P3 : **TRUE COPY OF THE COMMUNCIATION DATED 9/12/2015 FROM THE 2ND RESPONDENT.**

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 7589 of 2015

Dated this the 9th day of October, 2015

<u>J U D G M E N T</u>

Petitioner approached this Court alleging that the Revenue Officals refused to accept land tax in respect of immovable property having an extent of 6.5 cents in Re.Sy.No.1/1A of Vellora Village, Taliparamba.

2. The learned Government Pleader, on instructions, submits that the above land is classified as road puramboke and it is vested with Panchayath. He also submits that the issue relates to the identification of property and the petitioner has to approach the Tahsildar with title deed. The sale deed is marked as Ext.P1.

3. Therefore, this Court is of the view that the petitioner can approach the Tahsildar. The Tahsildar shall identify the property belonging to the petitioner as claimed by him in Ext.P1. This shall be done after hearing the petitioner and the fourth respondent. Needful

shall be done within a period of three months from the date of receipt of a copy of this judgment. Depending upon the outcome of the above, the Tahsildar can decide whether the land tax can be accepted or not.

This writ petition is disposed of as above.

sd/-

A.MUHAMED MUSTAQUE,
Judge

MBS/