

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

WP(C).No. 7997 of 2015 (Y)

PETITIONER:

**KILARI, S/O.LATE PANKUNNI,
AGED 55 YEARS, PERUNCHIRA KALAM,
MUTHALAMADA, PALAKKAD.**

**BY ADVS.SRI.JACOB SEBASTIAN
SMT.SHAMSEERA. C.ASHRAF
SRI.T.U.SUJITH KUMAR
SMT.ANU JACOB**

RESPONDENT(S):

- 1. THE DEPUTY DIRECTOR,
DEPARTMENT OF SURVEY, CIVIL STATION,
PALAKKAD, PIN - 678 001.**
- 2. THE TAHASILDAR, CHITTUR,
PALAKKAD DISTRICT, PIN - 678 101.**
- 3. THE VILLAGE OFFICER,
MUTHALAMADA - II VILLAGE, MUTHALAMADA,
PALAKKAD DISTRICT, PIN - 678 507.**
- 4. THE MUTHALAMADA GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, MUTHALAMADA,
PALAKKAD DISTRICT, PIN - 678 507.**

**R1 TO R3 BY GOVERNMENT PLEADER SMT.C.K.SHERIN
R4 BY ADVS. SRI.MURALI PURUSHOTHAMAN
SRI.DEEPU LAL MOHAN**

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

mbr/

WP(C).No. 7997 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1: A TRUE COPY OF THE PURCHASE CERTIFICATE NUMBER 396/1974
ISSUED TO THE PETITIONER BY THE KOLLENGODE LAND TRIBUNAL
NUMBER 1.
- EXT.P2: A TRUE COPY OF THE LETTER DATED JUNE 15, 2007 ISSUED BY THE
FIRST RESPONDENT.
- EXT.P3: A TRUE COPY OF THE LETTER DATED OCTOBER 29, 2013 ISSUED BY
THE FOURTH RESPONDENT.
- EXT.P4: A TRUE COPY OF THE CERTIFICATE DATED NOVEMBER 15, 2013
ISSUED BY THE THIRD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 7997 of 2015

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Dated this the 10th day of September, 2015

J U D G M E N T

The petitioner approached this Court for following relief:

- i. Issue a writ in the nature of Mandamus commanding respondents 1 to 3 to correct the entry in the survey records and basic tax register relating to the petitioner's private pond falling in old survey number 42C 5; resurvey number 280/1 in block number 18, as private pond instead of puromboke pond as expeditiously as possible and in any event within a time frame that this honourable court may deem fit; and
- ii. Issue such other writ, order or direction which this Hon'ble Court may deem fit and proper on the facts and circumstances of the case and in the interest of justice."

2. The learned Government Pleader on instructions submits that the land referred as above in revenue records entered as a Puramboke and therefore the petitioner's remedy is to approach the Additional Tahsildar for correction, if any. The petitioner approaches the Additional Tahsildar, that application shall be considered within 3 months from the date of receipt of the application after notice to the petitioner.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE