

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 8130 of 2015 (M)

PETITIONER :

**OMANA CYRIAC
W/O. LATE CYRIAC, AGED 56 YEARS
VELLARINGATTU HOUSE, KOOVAPALLY P.O.,
THODUPUZHA TALUK**

BY ADV. SRI.JOHN VIPIN

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY DISTRICT COLLECTOR, IDUKKI
CIVIL STATION, PAINAVU, IDUKKI – 685 603.**
- 2. THE DISTRICT COLLECTOR,
IDUKKI, CIVIL STATION, PAINAVAU – 685 603.**
- 3. TAHASILDAR,
TALUK OFFICE, PEERUMADE,
NEDUMKANDAM, IDUKKI – 685531.**
- 4. VILLAGE OFFICER,
ANAKKARA, PEERUMADE VILLAGE,
IDUKKI - 685531**
- 5. SUNITHA JAMES, AGED 46 YEARS
W/O. JAMES, KALLICKAL HOUSE, VADKKUMURI
KARIMKUNNAM VILLAGE, THODUPUZHA TALUK-685586**

**R1 TO R4 BY SPL. GOVT. PLEADER SMT. SUSEELA R. BHATT
R5 BY ADV. SRI.K.J.KURIACHAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 8130 of 2015 (M)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1: TRUE COPY OF SALE CERTIFICATE DATED 6.3.2014.

EXHIBIT P2: TRUE COPY OF SALE CERTIFICATE DATED 21.3.2014.

EXHIBIT P3: TRUE COPY OF DELIVERY KYCHIT DATED 23.6.14.

**EXHIBIT P4: TRUE COPY OF THE BASIC TAX RECEIPT DATED 7.8.14 OF
ANAKKARA VILLAGE.**

**EXHIBIT P5: TRUE COPY OF THE PROCEEDINGS OF THE ADDITIONAL TAHSILDAR
NO.H26481/14 FOR EFFECTING MUTATION.**

**EXHIBIT P6: TRUE COPY OF APPLICATION SUBMITTED TO THE DIST.COLLECTOR
DATED 19.1.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.8130 OF 2015
.....

Dated this the 9th April, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

"For these and other grounds that may be submitted at the time of hearing, it is respectfully prayed that this Hon'ble Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction directing Respondents 3 and 4 to receive land tax in respect of the property delivered to the petitioner by virtue of Ext.P3."

2. The petitioner is aggrieved of non-acceptance of land tax in respect of the property owned by her by virtue of Exts.P1 to P3 by the 4th respondent/ Village Officer referring to an order of attachment over the property. When the matter is taken up for consideration, the learned Counsel for the petitioner submits that the grievance of the petitioner has already been projected by

filing an application before the second respondent/District Collector, which is still to be acted upon. The only prayer raised before this Court is for issuance of a direction to the second respondent to cause the same to be considered and disposed of within a reasonable time.

3. Heard the learned Government Pleader as well.

4. Considering the limited nature of relief pressed before this Court, it is not necessary to issue notice to the 5th respondent/Sunitha James for the time being or to adjudicate the issue on merits. Accordingly, the writ petition is disposed of directing the second respondent /District Collector to consider and finalise Ext.P6, at the earliest, at any rate, within two months from the date of receipt of a copy of the judgment, after affording an opportunity of hearing to the petitioner and also to the 5th respondent. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the second respondent for further steps.

P.R.RAMACHANDRA MENON
JUDGE

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