

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(C).No. 8174 of 2015 (V)

PETITIONER:

**JOSEPH MATHEW, S/O.JOSEPH,
MANARKATTU HOUSE, PALA.**

**BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM
SMT.K.R.MONISHA
SRI.ANOOP BHASKAR**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
IDUKKI - 685 603.**
- 2. THE SUB REGISTRAR, PEERMADE - 685 531.**
- 3. THE TAHSILDAR,
PEEMADE 685 531.**

BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 8174 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS:

**P1: TRUE COPY OF LETTER NO.C5-11949/09 ISSUED BY THE 1ST RESPONDENT
TO THE 2ND RESPONDENT DATED 12/2/2015**

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 8174 of 2015

Dated this the 1st day of April, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

- “i. issue a writ of certiorari or any other appropriate writ or direction calling for the records resulting in Exhibit P1 letter, scrutinize and quash the same;
- ii. Pass such other orders, interlocutory or otherwise, which are deemed fit and proper in the interest of justice; and
- iii. Allow this Writ Petition with costs”

The learned counsel for the petitioner places reliance on the decision rendered by this Court in **Devassia v. Sub Registrar** (2015 (1) KLT 825) and seeks to extend similar benefit to the petitioner as well.

- 2. Heard the learned Government Pleader as well.
- 3. After hearing both the sides, this Court finds that the petitioner is also entitled to have similar reliefs. The operative portion of the above verdict reads as follows:

“14. In view of the above, these writ petitions are disposed with the following directions”

i. There shall be a direction to the Revenue Officials to effect mutation in respect of the properties obtained by the purchasers based on valid title.

ii. If any of the properties are found to be converted before or after the purchase, the Revenue Officials are free to bring it to the notice of the Taluk Land Board or the appropriate Authorities to include the property in the account of the holder of land at the time of exemption for the purpose of ceiling.

iii. The registering authority shall not insist for no-objection certificate for the reason that the land is exempted land for the purpose of registration.

iv. The transfer of exempted land as a whole or in part can be acted upon for the purpose of registration or effecting mutation.

v. In the light of the directions above, the Registering Authority and Revenue Officials are directed to do the needful in these matters to register the document and effect mutation within a period of four weeks from date of receipt of a copy of this judgment. No costs."

The writ petition is disposed of in similar lines granting similar benefit to the petitioner herein as well. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.