

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

WP(C).No. 12632 of 2009 (Y)

PETITIONER(S):

**JOSEPH, S/O.THOMAS, AGED 90,
KAROOR THEKKEL, MOOLAMATTOM EAST P.O.,
IDUKKI DISTRICT.**

BY ADV. SRI.JOHNSON MANAYANI

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REP. BY ITS PRL. SECRETARY TO REVENUE, SECRETARIAT,
TRIVANDRUM.**
- 2. THE LAND REVENUE COMMISSIONER,
OLD BOARD OF REVENUE BUILDINGS, MUSEUM ROAD,
TRIVANDRUM.**
- 3. THE DISTRICT COLLECTOR,
COLLECTORATE, PAINAVU, IDUKKI.**
- 4. THE SPECIAL DEPUTY COLLECTOR,
PAINAVU, COLLECTORATE, IDUKKI.**
- 5. THE TAHSILDAR, TALUK OFFICE,
THODUPUZHA.**
- 6. THE SPECIAL TAHSILDAR (LA), IDUKKI.**
- 7. THE TALUK SURVEYOR,
TALUK OFFICE, THODUPUZHA.**

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
17-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 12632 of 2009 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: THE TRUE COPY OF THE PROCEEDINGS OF THE 4TH RESPONDENT
ASSIGNING 50 CENTS OF LAND DTD.3.6.1996.**

**EXT.P2: THE TRUE COPY OF THE PETITION DTD.27.7.2005 FILED BEFORE THE
3RD RESPONDENT.**

**EXT.P3: THE TRUE COPY OF THE PETITION DTD.24.12.2006 FILED BEFORE
SRI.FRANCIS GEORGE M.P.**

**EXT.P4: THE TRUE COPY OF THE LETTER DTD.4.1.2006 ISSUED TO THE PETITIONER
BY THE 5TH RESPONDENT DTD.4.1.2006.**

**EXT.P5: THE TRUE COPY OF THE PETITION DTD.20.3.2009 FILED BEFORE
THE RESPONDENTS 1 TO 3.**

EXT.P6: TRUE COPY OF LETTER DTD.4.5.2009 OF THE 5TH RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.12632/2009**  
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Dated this the 17th Day of December, 2015

J U D G M E N T

The petitioner has approached this Court on account of the delay in implementing Exhibit P1 order issued in a proceedings of the Special Deputy Collector,Idukki.

2. The Government has sanctioned rehabilitation of the occupants, who were residing in the land acquired for the third stage of I.H.E.P as per Ext.P1 proceedings, especially, the persons who were evicted. These proceedings appear to have been initiated in the year 1996. So far, no action has been taken to rehabilitate the evicted persons as per the proceedings. Accordingly, the petitioner had approached this Court.

3. It appears that ever since many petitions were lodged by the petitioner for a speedy and expeditious action which culminated in Exhibit P6 but nothing has been transpired so far. It appears that the petitioner's 10 cents of land was acquired and the petitioner was assigned 50 cents of alternate land as per Exhibit P1 in the year 1996. Therefore, this Court is of the view that the third

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respondent shall take necessary steps to issue *patta*. Necessary action shall be taken based on Exhibit P1 to assign land to the petitioner within a period of six months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ms