

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

WP(C).No. 8980 of 2015 (V)

PETITIONER(S):

1. **P.S.MARIAMMA, AGED 63 YEARS,
W/O.VARGHESE, CHACKO, EDAMALA HOUSE,
KUMBALAM POIKA P.O., PATHANAMTHITTA - 689 661.**
2. **WILSON P. SCARIA, AGED 44 YEARS,
S/O.LATE P.M. ZACHARIA ALIAS SCARIA,
PANACHAKKALAYIL HOUSE, MUTHUVANKUDI, CHENGULAM P.O.,
CHITHIRAPURAM, DEVIKULAM, PIN - 685 565.**

**BY ADVS.SRI.G.D.PANICKER
SMT.JEENA JOSEPH**

RESPONDENT(S):

1. **STATE OF KERALA,
REPRESENTED BY SECRETARY, REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.**
2. **DISTRICT COLLECTOR,
IDUKKI, PINAVU P.O., IDUKKI - 686 003.**
3. **THE DEPUTY DIRECTOR,
SURVEY AND LAND RECORDS, COLLECTORATE, IDUKKI,
PIN - 686 001.**
4. **THE TAHASILDAR,
TALUK OFFICE, DEVIKULAM, PIN - 685 613.**
5. **THE VILLAGE OFFICER,
KUNCHITHANNI, DEVIKULAM, PIN - 685 565.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 8980 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: A TRUE PHOTOCOPY OF THE SKETCH AND MAHAZAR DATED 13/09/1984
PREPARED BY THE REVENUE AUTHORITIES.**

**EXT.P2: A TRUE PHOTOCOPY OF THE PATTA NO. 10624 DATED 31/10/1984 ISSUED BY
THE SPECIAL TAHSILDAR LA DEVIKULAM.**

**EXT.P3: A TRUE PHOTOCOPY OF THE RESURVEY MAP ISSUED BY REVENUE
AUTHORITIES.**

**EXT.P4: A TRUE PHOTOCOPY OF THE LETTER DATED 13/11/2014 FROM STATE
PUBLIC INFORMATION OFFICER AND DISTRICT SURVEY SUPERINTENDENT.**

**EXT.P5: A TRUE PHOTOCOPY OF THE NEW PLAN AND STATEMENT OF SUB
DIVISION 6 ISSUED BY SPECIAL TAHSILDAR.**

**EXT.P6: A TRUE PHOTOCOPY OF THE LETTER DATED 04/09/2014 ADDRESSED TO
THE 2ND RESPONDENT.**

**EXT.P7: A TRUE PHOTOCOPY OF THE LETTER DATED 12/02/2015 ADDRESSED TO
THE 2ND RESPONDENT.**

**EXT.P8: A TRUE PHOTOCOPY OF THE LETTER DATED 04/09/2014 ADDRESSED TO
THE 3RD RESPONDENT.**

**EXT.P9: A TRUE PHOTOCOPY OF THE LETTER DATED 12/02/2015 ADDRESSED TO
THE 3RD RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No. 8980 OF 2015
.....

Dated this the 30th March, 2015

J U D G M E N T

The petitioners have approached this Court with the following prayers:

- "i) Direct the 2nd and 3rd respondents to consider Exhibit P6 to P9 representations, and pass appropriate orders after hearing the 1st petitioner or her representative*
- ii) direct the 5th respondent to accept tax in respect of the properties covered by Exhibit P1 and P2.*
- iii) direct the 3rd respondent to identify the properties covered by Exhibit P1 and P2;*
- iv) pass such any other order which are deemed fit and fair in the circumstances of this case. "*

2. The petitioners are aggrieved of the refusal on the part of the 5th respondent/Village Officer to accept the land tax in respect of the property owned by the petitioners and also of the callous inaction on the part of the second and third respondents (District Collector and Deputy Director, Survey and Land Records) in effecting the survey and demarcation of the land covered by Exts.P1 and P2. When the matter is taken up for consideration, the learned Counsel for the petitioners submits

that the petitioners have already projected their grievance by way of Exts.P6 to P9 representations before the second and third respondents and that they will be satisfied if a direction is given to the said respondents to consider and pass appropriate orders on Exts.P6 to P9 representations, 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 adjudicate the issue on merits. Accordingly, the writ petition is disposed of directing the respondents 2 and 3 to consider and dispose of Exts.P6 to P9 representations and pass appropriate orders, at the earliest, at any rate within three months from the date of receipt of a copy of this judgment. The petitioners shall produce a copy of this judgment along with a copy of the writ petition before the 2nd and 3rd respondents for further steps.

P.R.RAMACHANDRA MENON
JUDGE

/k