

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C) .No. 9824 of 2015 (C)

PETITIONER(S) :

C H JANARDHAN, AGED 55 YEARS
S/O.GOPALAKRISHNA, RESIDING AT CHANDRAGIRI
KALNAD VILLAGE, P.O. CHANDRAGIRI, KASARGOD DISTRICT.

BY ADVS.SRI.SURESH KUMAR KODOTH
SRI.K.P.ANTONY BINU

RESPONDENTS:-:

1. DEPUTY COLLECTOR (LR) ,
COLLECTORATE, VIDYANAGAR, P.O.KASARGOD - 671 121.

2. VIDHYADHARAN,,
S/O.THIMMAPPA CHETTIAR, KOTEKAR HOUSE, CERAMICAS ROAD
THERUVATH, THALANGARA VILLAGE, KASARGOD P.O.
KASARGOD DISTRICT - 671 121.

R1 BY SENIOR GOVERNMENT PLEADER SRI.K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 9824 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1. TRUE COPY OF THE ORDER DT. 24.07.1978 IN CRP NO.1484/76 OF THIS HON'BLE HIGH COURT.

EXHIBIT P2. TRUE COPY OF JUDGMENT DATED 13.07.1999 IN OP NO.17503/1999 OF THIS HON'BLE HIGH COURT.

EXHIBIT P3. TRUE COPY ORDER NO.A 80/88 DATED 05.01.2000 PASSED BY SPECIAL DEPUTY COLLECTOR (LT), PALGHAT.

EXHIBIT P4. TRUE COPY OF THE COMMUNICATION DATED 30.11.2000 ISSUED BY THE LAND BOARD, THIRUVANANTHAPURAM.

EXHIBIT P5. TRUE COPY OF EP NO.1/2003 FILED BEFORE THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

RKC

TRUE COPY

PA TO JUDGE

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 9824 of 2015

Dated this the 8th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of mandamus or any other appropriate direction to the first respondent for the expeditious disposal of Exhibit P5 execution proceeding for enforcement of Ext.P3 within a time frame.

ii. Issue any other writ or order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

When the matter is taken up for consideration, the learned counsel for the petitioner submits that the petitioner will be satisfied, if a direction is given to the 1st respondent to consider and pass appropriate orders on Ext.P5 execution petition wherein the grievance of the petitioner has been projected and highlighted.

2. Heard the learned Government Pleader as well.

3. In view of the limited relief sought for, the writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P5 in accordance with law, after giving

an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE.**

kp/-