

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(C).No. 10146 of 2015 (P)

PETITIONER:

**SASIKALA DEVI, AGED 56 YEARS,
W/O.JAGADESH, CHAROOR, KAITHA VADAKKUM MURI,
KANNAMANGALAM VILLAGE, CHETTIKULANGARA.P.O,
MAVELIKKARA.**

**BY ADVS.SRI.SHIRAZ ABDULLA
SRI.JOJO PAPPACHAN**

RESPONDENTS:

**1. TALUK SURVEYOR,
MAVELIKKARA-690101.**

**2. B.SASIKUMAR, AGED 53 YEARS,
S/O.K.BHASKARAN, SASISADANAM, PELA.P.O,
PELAMURI, KANNAMANGALAM VILLAGE,
MAVELIKKARA-690106.**

**R1 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R2 BY ADV. SRI.BENNY GERVACIS**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 10146 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 COPY OF THE STATEMENTS OF ACCOUNT

EXT.P2 RE-WRITTEN COPY OF THE COMPLAINT BEFORE C.I,MAVELIKKARA

**EXT.P3 COPY OF THE CAVEAT PETITION FILED BEFORE THE SUB
COURT, MAVELIKKARA**

**EXT.P4 COPY OF THE NOTICE DTD 20-03-2015 ISSUED BY THE IST
RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. VINOD CHANDRAN, J.

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Dated this the 4th day of June, 2015

J U D G M E N T

The petitioner seeks to agitate disputes, which are best to be left to be agitated before the Civil Court. The petitioner in the writ petition challenges Ext.P4 survey notice issued by the 1st respondent herein. Admittedly, the property belongs to the 2nd respondent as per Exts.R2(a) to R2(c) documents. The petitioner's own averments indicate that the subject property is a portion of her ancestral property; which justifies the notice issued to her as the adjacent property owner. However, the contention of the petitioner herein is that, the petitioner's husband had availed a hand loan and the documents executed by the petitioner were not intended to actually effect conveyance, but was only a security issued. The execution of the

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documents is admitted and no proceeding is initiated to set aside the same. The petitioner would have to agitate before the appropriate forum and cannot invoke the jurisdiction under Article 226 of the Constitution or India.

Leaving open such remedy, the writ petition would stand dismissed.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A To Judge.