

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 10259 of 2015 (F)

PETITIONER:

**O.U.VARGHESE, S/O. PAILY UTHUP,
AGED 48 YEARS, OLANGATTU, PINERMUNDA,
ERNAKULAM DISTRICT - 683 565.**

**BY ADVS.SRI.PAUL K.VARGHESE
SMT.A.A.GEETHA**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR, CIVIL STATION,
KAKKANAD, COCHIN - 682 030.**
- 2. THE TAHASILDAR, KANAYANNUR TALUK,
ERNAKULAM - 682 312.**
- 3. THE VILLAGE OFFICER, THE VILLAGE OFFICE,
KANAYANNUR TALUK, ERNAKULAM - 682 312.**

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 10259 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1: A TRUE COPY OF A SALE CERTIFICATE ISSUED BY THE SUB COURT
ERNAKULAM TO THE PETITIONER DATED 08.3.2011.**

**EXHIBIT P2: A TRUE COPY OF THE DELIVERY CERTIFICATE ISSUED BY THE SUB
COURT, ERNAKULAM.**

**EXHIBIT P3: A TRUE COPY OF THE REPORT SUBMITTED BY THE
3RD RESPONDENT DATED 09.3.2015.**

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.S.TO JUDGE

mbr/

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 10259 of 2015

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Dated, this the 7th 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 writ or direction commanding the respondents to mutate the property obtained as per the Sale Certificate issued by the Sub Court, Ernakulam in the name of the petitioner by relying Ext. P1 and P2 within a time specified by this Hon'ble Court.

(iii) Issue such other writ, order or directions as may be necessary in the facts and circumstances of the case.

2. The learned counsel for the submits that the petitioner purchased two rooms bearing door No. 4083 A and B with shutters situated in the building named "Ismail Complex" with 1/3rd undivided share over the property having an extent of 4.300 cents in Survey No. 468/2 of Ernakulam Village through Court auction proceedings, as discernible from Ext. P1 sale certificate and Ext. P2 delivery

certificate. When the petitioner approached the third respondent for effecting mutation by filing necessary application no positive action is taken, but for submitting Ext. P3 report to the second respondent. Hence the writ petition.

3. Heard the learned Government Pleader as well.

4. Considering the facts and circumstances, the writ petition is disposed of, directing the second respondent to take necessary steps to effect mutation in respect of the property covered by Exts. P1 and P2 certificates in accordance with law and in the light of Ext. P3 report of the third respondent. The proceedings as above shall be finalized as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the concerned respondent for further steps.

The Writ Petition is disposed of.

Sd/-

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

kmd