

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 10414 of 2015 (B)

NAME AND ADDRESS OF THE PETITIONER(S) :

**JOSE PHILIP,
S/O.PHILIP, KALLARAKKAL HOUSE, KADANAD,
MEENACHIL TALUK, KOTTAYAM DISTRICT.**

BY ADV. SRI.M.A.ABDUL HAKHIM

NAME AND ADDRESS OF THE RESPONDENT(S) :

- 1. DISTRICT COLLECTOR,
KOTTAYAM, KOTTAYAM - 686 002.**
- 2. ADDITIONAL TAHSILDAR,
MEENACHIL TALUK, PALA, KOTTAYAM - 686 575.**
- 3. VILLAGE OFFICER,
KADANADU VILLAGE, KOTTAYAM - 686 653.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: A PHOTOSTAT COPY OF THE APPLICATION SUBMITTED BY
THE PETITIONER TO THE 2ND RESPONDENT DATED 30.10.2014.**

**EXHIBIT P2: A PHOTOSTAT COPY OF THE RECEIPT FOR PAYMENT OF FEE
ISSUED BY THE 3RD RESPONDENT DATED 05.11.2014.**

**EXHIBIT P3: A PHOTOSTAT COPY OF THE LETTER ISSUED BY THE SECRETARY,
LAND BOARD TO THE CHAIRMAN, TALUK LAND BOARD, PALA
DATED 04.02.2015.**

**EXHIBIT P4: A PHOTOSTAT COPY OF THE LETTER ISSUED BY
THE 2ND RESPONDENT TO THE 3RD RESPONDENT
DATED 10.02.2015.**

**EXHIBIT P5: A PHOTOSTAT COPY OF THE COMMUNICATION ISSUED BY
THE SECRETARY, LAND BOARD TO THE CHAIRMAN, TALUK LAND
BOARD UDUMBANCHOLA DATED 05.02.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 10414 of 2015

Dated this the 31st day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of mandamus such other writ order or direction compelling the respondents 2 and 3 to affect mutation of the properties as requested in Ext.P1 within such time limit as this Hon'ble Court shall deem just.

ii. Grant such other order or directions as may be deemed necessary in the facts and circumstances of the case and in the interests of justice."

The learned counsel for the petitioner places reliance on the decision rendered by this Court in **Devassia v. Sub Registrar** (2015 (1) KLT 825) and seeks to extend similar benefit to the petitioner as well. The prayer is only to cause Ext.P1 application for mutation to be considered and disposed of by the 2nd respondent in the light of the above decision and also in the light of Ext.P5 communication dated 25.02.2015 issued by the Secretary, Land Board.

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, this Court finds that the

petitioner is also entitled to have similar reliefs. In the above circumstance, the 2nd respondent(Additional Tahsildar) is directed consider and pass appropriate orders on Ext.P1 application in accordance with law, also in the light of the directions as per the decision cited supra, and effect mutation within a period of four weeks from 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 second respondent for further steps.

The writ petition is disposed of.

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

kp/-