

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 10490 of 2015 (I)

PETITIONER:

**MOHAMMED ZAIN,
S/O. POILIL PUTHAN PURAYIL ANWAR,
RESIDING AT ARENA, MUZHATHADAM,
P.O.THANA, KANNUR-670 012.**

BY ADV. SMT.M.M.DEEPA

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT COLLECTOR,
KANNUR, PIN-670 001.**
- 3. VILLAGE OFFICER,
DHARMADAM VILLAGE, KANNUR-670 001.**

***ADDL.R4 IMPEADED**

- 4. TAHSILDAR, THALASSERY TALUK,
KANNUR DISTRICT.**

**ADDL. R4 IS IMPEADED AS PER ORDER
DATED 10-04-2015 IN IA.5541/2015.**

BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 10490 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1 : TRUE COPY OF THE SALE DEED NO.1176/2002 OF SRO, KANNUR.

P2 : TRUE COPY OF THE APPLICATION DATED 24.10.2014 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT FOR LEGAL HEIRSHIP CERTIFICATE OF DECEASED LAKSHMI, ACCOMPANIED BY THE DEATH CERTIFICATES OF LAKSHMI, VASUDEVAN AND THE FAMILY MEMBERSHIP CERTIFICATE OF VASUDEVAN.

P3 : TRUE COPY OF THE LETTER DATED 5.3.2015 SENT BY THE PETITIONER TO THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 10490 of 2015

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Dated, this the 10th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

"(i) To issue a writ of mandamus or any other writ order or direction directing the 3rd respondent to consider Ext. P2 application and to expedite all necessary steps for issuing legal heirship certificate of K.M. Lakshmi.

And

(ii) To issue such other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case so as to secure the ends of justice.

2. The learned counsel for the petitioner submits that the petitioner will be satisfied, if a direction is given to the 3rd respondent to consider and pass appropriate orders on Ext. P3 within a reasonable time.

3. Heard the learned Government Pleader as well, who submits that the competent authority to consider Ext. P3 is none other than the Tahasildar.

3. In the said circumstances, the third respondent is directed to transmit Ext. P3 to the additional 4th respondent forthwith, at the earliest, at any rate, within two weeks from the date of receipt of a copy of this judgment. It shall be considered by the additional 4th respondent and appropriate orders shall be passed at the earliest, at any rate, within six weeks thereafter.

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

Sd/-

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

kmd