

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. 10565 of 2015 (U)

PETITIONERS :

- 1. RAMLA RASHEED, AGED 24 YEARS,
MANDAYIPURATH, THAMARASSERY,
U.C.COLLEGE P.O.,PIN - 683 102.**
- 2. MOIDEEN RASHEED
MANDAYIUPURAM, THAMARASSERY,
UC COLLEGE P.O.,PIN - 683 102.**
- 3. SANA RASHEED
MANDAYIPURATH, THAMARASSERY
UC COLLEGE P.O.,PIN - 683 102.**
- 4. MOHSIN RASHEED,
MANDAYIPURATH, THAMARASSERY,
UC COLLEGE P.O., PIN - 683 102.**

**BY ADVS.SMT.K.P.SANTHI
SRI.R.JAYAKRISHNAN (MUTHUKULAM)
SRI.RILGIN V.GEORGE
SMT.E.U.DHANYA**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DISTRICT COLLECTOR, ERNAKULAM.**

R1 & R2 BY GOVERNMENT PLEADER SRI. JOSEPH GEORGE

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

bp

WP(C).No. 10565 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THE CERTIFIED COPY OF THE DOCUMENT
NO. 437/1987 EXECUTED IN FAVOR OF SRI.ABDUL RASHEED.

EXT.P2: TRUE COPYO F THE RELEVANT PAGE OF THE THANDAPER REGISTER
IN RESPECT OF SRI.NARAYANAN.

EXT.P3: TRUE COPY OF THE REPRESENTATION DATED 02/03/2015 SUBMITTED
TO THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.10565 of 2015

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Dated this the 31st day of March, 2015

JUDGMENT

The prayer made in the writ petition is in the following term:-

“ issue a writ of mandamus or such other writ, direction or order compelling the 2nd respondent to consider Exhibit P3 application affording an opportunity of hearing to the petitioner within a time frame to be fixed by this Honourable Court.”

2. The learned counsel for the petitioner points out that Ext.P3 application preferred by the petitioner in terms of Section 13A of the Survey and Boundaries Act is still lying before the 2nd respondent without being acted upon and the same has to be finalised within a reasonable time.

3. Heard the learned Government Pleader as well.

4. Considering the limited extent of relief sought for, this Court does not find it necessary to adjudicate the issue on merits.

5. After hearing both the sides, the writ petition is disposed of, directing the second respondent to consider and pass appropriate orders on Ext.P3 application preferred by the

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

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

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

sj