

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. 11139 of 2015 (N)

PETITIONER(S):

**PRESHELIAN P.G. AGED 50 YEARS
S/O.GEORGE, PAVANA HOUSE, THENALIL TEMPLE ROAD,
MADAVANA, PANANGAD.P.O., MADAVANA DESOM,
KANAYANNUR TALUK, ERNAKULAM (DT), PIN-682 506.**

**BY ADVS.SRI.PHILIP ANTONY CHACKO
SRI.P.M.SEBASTIAN**

RESPONDENT(S):

- 1. THE TAHSILDAR KANAYANNUR TALUK
TALUK OFFICE KANAYANNUR
ERNAKULAM (DT), PIN-682 011.**
- 2. DISTRICT COLLECTOR ERNAKULAM (DT)
COLLECTORATE, KAKKANAD, ERNAKULAM(DT), PIN-682030.**
- 3. TALUK SURVEYOR KANAYANNUR TALUK
TALUK OFFICE KANAYANNUR
ERNAKULAM (DT), PIN-682 011.**

BY ADV.SRI.K.C.VINCENT, GOVERNMENT PLEADER

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

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1:THE TRUE COPY OF THE DOCUMENT DATED 1.11.2004 WITH DOCUMENT NO.5446/2004 OF S.R.O. MARADU.

EXHIBIT-P2:THE TRUE COPY OF THE RECEIPT DATED 22.11.2014 FOR THE PAYMENT OF LAND TAX OF RS.40/- UP TO 2014-2015, FOR 8.10 ARES (20 CENTS) OF LAND IN BLOCK NO.16, R.S.NO.29/5, ISSUED BY THE VILLAGE OFFICER KUMBALAM TO THE PETITIONER.

EXHIBIT-P3:THE TRUE COPY OF THE POSSESSION CERTIFICATE DATED 28.11.2014 ISSUED BY THE VILLAGE OFFICER, KUMBALAM TO THE PETITIONER.

EXHIBIT-P4:THE TRUE COPY OF THE LOCATION SKETCH OF THE PETITIONER 20 CENTS OF LAND DATED 24.8.2005 ISSUED BY THE VILLAGE OFFICER, KUMBALAM VILLAGE OFFICE TO THE PETITIONER.

EXHIBIT-P5:THE TRUE COPY OF THE PETITION DATED 13.3.2015 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL

R.AV

//TRUE COPY//

PATO JUDGE

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.11139 OF 2015
.....

Dated this the 7th April, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

"a) to issue a writ of mandamus or any other appropriate writ order or direction, directing the 1st and 3rd respondents to take immediate steps in pursuant to Ext.P5 petition, within a time fixed by this Hon'ble Court.

b) to issue a writ of mandamus or any other appropriate writ order or direction, directing the 1st and 3rd respondents to measure, demarcate and fix the northern boundary of the petitioner's Ext.P1 property in block No.16, Re-Sy.No.29/5 of Madavana Desom, Kumbalam Village, Kanayannur Taluk, Ernakulam (Dt.) and

c) to issue any other appropriate writ order or direction as prayed for or deemed just and proper."

2. When the matter is taken up for consideration, the learned Counsel for the petitioner submits that the only relief pressed before this Court is for issuance of a direction to the first respondent/Tahsildar, Kanayannur Taluk to consider and

dispose of Ext.P5 application preferred by the petitioner at the earliest.

3. Heard the learned Government Pleader as well.

4. Considering the limited nature of relief sought for, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of directing the first respondent/Tahsildar to consider and dispose of Ext.P5 at the earliest, at any rate , within two months from the date of receipt of a copy of the judgment, after affording an opportunity of hearing to the petitioner and other interested parties if any also with notice to the third respondent/Taluk Surveyor. The petitioner shall produce a copy of this judgment along with a copy of the writ petition before the first respondent for further steps.

P.R.RAMACHANDRA MENON
JUDGE

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