

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. 11369 of 2015 (U)

PETITIONER(S) :

**K.P.JOHNSON, AGED 38 YEARS,
S/O.KALAPURACKAL PATHROSE, KADANGODE,
VADAKUMURY DESOM, KADANGODE VILLAGE,
TALAPPILLY TALUK.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S) :

- 1. THE STATE OF KERALA,
REP. BY THE SECRETARY TO THE GOVERNMENT,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.**
- 2. THE DISTRICT COLLECTOR,
COLLECTORATE, AYYANTHOLE, THRISSUR- 680 001.**
- 3. THE TAHSILDAR,
TALUK OFFICE, TALAPPILLY, WADAKKANCHERY,
THRISSUR- 680 001**
- 4. THE VILLAGE OFFICER,
KADANGODE VILLAGE OFFICE, THRISSUR DISTRICT- 680 001.**
- 5. RAVINDRAN, AGED 62 YEARS,
S/O.KARAPPAN, OZHICHIRANJALI HOUSE, KADANGODE VILLAGE,
KIZHAKUMURY DESOM, THRISSUR DISTRICT- 680 001**

R1 TO R4 BY SR.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:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: A TRUE COPY OF THE ORDER PASSED IN I.A.NO.2023 OF 2004 IN
R.S.A NO.968 OF 2004 ON THE FILE OF THIS HON'BLE COURT
DATED 18.11.2004.**
- EXT.P2: A TRUE COPY OF THE DOCUMENT BEARING NO.1925 OF 2006
DATED 07.10.2006 OF THE ERUMAPETTY S.R.O.**
- EXT.P3: A TRUE COPY OF THE JUDGMENT IN O.S NO.521 OF 2006
DATED 17.10.2007 ON THE FILE OF THE MUNSIFF COURT,
WADAKKANCHERY.**
- EXT.P4: A TRUE COPY OF THE REQUEST OF THE PETITIONER AND
THE REPLY WHICH THE PETITIONER GOT DATED 08.02.2012.**
- EXT.P5: A TRUE COPY OF THE COMMUNICATION DATED 05.12.2013.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 11369 of 2015

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Dated, this the 7th day of April, 2015

JUDGMENT

The grievance of the petitioner is with regard to the lapse on the part of the concerned respondent in effecting mutation in respect of the property covered by Ext. P2. The prayers raised in this writ petition are in the following terms :

"(i) Issue a writ of mandamus or any other appropriate writ order or direction commanding the respondents 2 to 4 to complete the proceedings in Ext. P5 and to see that no mutation is effected concerning the property of the petitioner over which the fifth respondent raises a claim on the basis of Ext. P2 in the interest of justice.

(ii) Issue a writ of mandamus or any other appropriate order or direction commanding the second respondent to take appropriate action against the fifth respondent for fraudulently creating a forged document, as referred to in Exts. P2 and P5, which is stated to be a government document, within specified time limits, in the interest of justice.

And

(iii) To pass any such or further orders as the

petitioner may seek and this Hon'ble Court deem fit to grant.

2. The learned counsel for the petitioner submits that the petitioner will be satisfied if a direction is given to the 3rd respondent to finalize the proceedings pursuant to Ext. P5 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 go into the merits of the case or to issue notice to the 5th respondent for the time being. The writ petition is disposed of, directing the 3rd respondent to finalize the proceedings forming subject matter of Ext. P5 in accordance with law, after hearing the petitioner and the 5th respondent, as expeditiously as possible, at any rate, within two months 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.

Sd/-

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

kmd