

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. 11406 of 2015 (A)

PETITIONER(S):

**ALBERT ABEY V.S.,
S/O.LATE ADV. V.A.SAURUNNY,
VEVUKKATT HOUSE, T.SQUARE LANE,
PACHALAM P.O., COCHIN - 682 012.**

**BY ADVS.SRI.BABU CHERUKARA
SRI.SEVI VARGHESE
SRI.P.A.SALIM
SRI.PRATHEUSH.M.ANAND
SRI.P.ANTO THOMAS
SRI.K.S.GIREESAN
SRI.ANZAR BASHEER**

RESPONDENT(S):

- 1. THE TAHSILDAR,
PARUR TALUK, NORTH PARUR, PIN - 683 513.**
- 2. THE ADDL. TAHSILDAR,
PARUR TALUK, NORTH PARUR, PIN - 683 513.**
- 3. THE TALUK SURVEYOR,
PARUR TALUK, NORTH PARUR, PIN - 683 513.**

BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

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

msv/

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF DOCUMENT NO.2597/2006 OF ALANGADU SUB REGISTRY
DTD.19.4.2006.**

EXT.P2: TRUE COPY OF THE TAX RECEIPT DTD.7.4.2014.

**EXT.P3: TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE VARAPUZHA
VILLAGE OFFICER BEARING NO.2915/2006 DTD.8.9.2006.**

**EXT.P4: TRUE COPY OF THE APPLICATION FOR FIXATION OF THE CORRECT
BOUNDARIES OF THE PROPERTIES BELONGED TO THE PETITIONER
DTD.12 5. 2006 TO THE 1ST RESPONDENT.**

EXT.P5: TRUE COPY OF THE SURVEY SKETCH IN SURVEY NO.333/1A1.

EXT.P6: TRUE COPY OF THE LETTER DTD.16.10.2006 ISSUED BY TALUK SURVEYOR.

**EXT.P7: TRUE COPY OF THE PETITION DTD.10.8.2012 BY THE PETITIONER TO THE
1ST RESPONDENT.**

**EXT.P8: TRUE COPY OF THE JUDGMENT IN WP(C) NO.2903 OF 2013 DTD.31.1.2013 OF
THE HON'BLE HIGH COURT OF KERALA.**

**EXT.P9: TRUE COPY OF THE SURVEY SKETCH DTD.3.2.2014 PREPARED BY THE
TALUK SURVEYOR, NORTH PARUR.**

**EXT.P10: TRUE COPY OF THE INTIMATION DTD.20.2.2014 ISSUED BY THE
2ND RESPONDENT, THE ADDL. TAHSILDAR TO THE PETITIONER.**

**EXT.P11: TRUE COPY OF THE REPRESENTATION DTD.19.12.2014 TO THE
1ST RESPONDENT BY THE PETITIONER.**

**EXT.P12: TRUE COPY OF THE INTIMATION DTD.10.2.2015 ISSUED BY THE
2ND RESPONDENT, THE ADDL. TAHSILDAR TO THE PETITIONER.**

**EXT.P13: TRUE COPY OF THE REPRESENTATION DTD.21.2.2015 TO THE TAHSILDAR
THE 1ST RESPONDENT.**

**EXT.P14: TRUE COPY OF REPLY FROM THE SUB COLLECTOR FORT KOCHI, ISSUED
UNDER THE RIGHT TO INFORMATION ACT BEARING NO.G/277/15
DTD.9.3.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 11406 of 2015

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Dated, this the 7th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

- (i) Issue a writ of mandamus or any other appropriate writ or order directing the 1st respondent to dispose of Exhibit P11 and P13 representations forthwith.
- (ii) Issue any other orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.
- (iii) Order the entire costs of the petitioner from the contesting respondents.

2. The learned counsel for the petitioner submits that the petitioner will be satisfied, if a direction is given to the first respondent to consider and pass appropriate orders on Exts. P11 and P13 representations preferred by the petitioner to verify the various discrepancies pointed out with regard to the survey conducted in respect of the property covered by Exts. P1 to P3 title deeds 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. The Writ Petition is disposed of, directing the first respondent to consider and pass appropriate orders on Exts. P11 and P13 representations, after affording an opportunity of hearing to the petitioner and other interested parties, if any, at the earliest, 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 first respondent for further steps.

Sd/-

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

kmd