

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. 11501 of 2015 (K)

PETITIONER(S):

- 1. PUTHAN VEETIL MANOHARAN,
S/O.LATE SUKUMARAN, AGED 49 YEARS,
DRIVER, PULLUPARA, ERAMAM AMSOM
AND DESOM, P.O.ERAMAM, (VIA) PAYYANUR,
KANNUR - 670 307.**
- 2. THEKKINIYIL SREEJA, W/O.MANOHARAN,
AGED 39 YEARS, HOME MAKER, PULLUPARA,
ERAMAM AMSOM AND DESOM, P.O.ERAMAM,(VIA)
PAYYANUR, KANNUR - 670 307.**

BY ADV. SRI.MAHESH V RAMAKRISHNAN

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR, CIVIL STATION, KANNUR - 670 002.**
- 2. THE TAHSILDAR, TALUK OFFICE, TALIPARAMBA, KANNUR - 670 141.**
- 3. THE VILLAGE OFFICER, ERAMAM, KANNUR - 670 307.**
- 4. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**

BY SENIOR 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:**

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APPENDIX

PETITIONER'S EXHIBITS:

- EXHIBIT P1 : TRUE COPY OF THE REGD. SALE DEED NO.956 OF 1977, S.R.O.,
MATHAMANGALAM EXECUTED BY ODAKKA VALAPPIL VATTYAN
LAKSHMI AND OTHERS TO PUTHIYA VEETIL NARAYANAN.
- EXHIBIT P2 : TRUE COPY OF THE REGD. SALE DEED NO.2383 OF 2005, S.R.O.,
MATHAMANGALAM EXECUTED BY PUTHIYA VEETIL NARAYANAN TO
KARALAM KANDIYIL DEVU.
- EXHIBIT P3 : TRUE COPY OF THE REGD. WILL NO.76 OF 2006,
S.R.O.MATHAMANGALAM EXECUTED BY KARALAM KANDIYIL DEVU IN
FAVOUR OF THE PETITIONERS.
- EXHIBIT P4 : TRUE COPY OF THE DEATH CERTIFICATE OF SMT.DEVU ISSUED BY
THE REGISTRAR OF BIRTHS & DEATHS, ERAMAM-KUTTUR GRAMA
PANCHAYATH.
- EXHIBIT P5 : TRUE COPY OF THE BASIC TAX RECEIPT DATED 1.6.1992 ISSUED BY
THE VILLAGE OFFICER, ERAMAM TO SRI.PUTHIYA VEETIL
NARAYANAN.
- EXHIBIT P6 : TRUE COPY OF THE REPRESENTATION DATED 16.12.2013 SUBMITTED
BY THE PETITIONERS BEFORE THE 1ST RESPONDENT.
- EXHIBIT P7 : TRUE COPY OF THE RECEIPT DATED 16.12.2013 ISSUED BY THE
1ST RESPONDENT.

RESPONDENT'S EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.11501 of 2015

Dated this the 7th day of April, 2015

JUDGMENT

The petitioners have approached this Court with the following prayers:

"(i) To issue a Writ of Mandamus or any other appropriate writ, order or direction, directing the Respondent No.3 to accept basic tax of the property covered by Exts.P1 to P5 from the petitioners;

(ii) To issue a Writ of Mandamus or any other appropriate writ, order or direction, directing the Respondent No.1 to consider Ext.P6 representation after affording an opportunity of being heard to the petitioners and within a time frame as may be fixed by this Hon'ble Court.

(iii) To award the cost of these proceedings to the petitioner; and

(iv) To grant such other and further reliefs as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. The learned counsel for the petitioners submits that, the delay on the part of the 1st respondent in considering and finalising Ext.P6 preferred in the year 2013, with regard to the grievance of the petitioners for payment of tax in respect of the property covered by Exts.P1 to P3, made the petitioners to

approach this Court by filing the writ petition. The learned counsel submits that, the prayer is to cause the same to be considered and disposed of within a reasonable time.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P6, after affording an opportunity of hearing to the petitioners, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

The petitioners shall produce a copy of this judgment, along with a copy of the writ petition, before the 1st respondent, for further steps.

Sd/-

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

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