

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No.12001 of 2015 (A)

PETITIONER:

**L.VENKATAPATHY,AGED 84 YEARS,
S/O.LINGUSWAMY NAIDU,VINCENT COLONY,
R.S.PURAM,COIMBATORE-641002.**

BY ADV.SRI.U.BALAGANGADHARAN

RESPONDENT'S:

- 1. THE REVENUE DIVISIONAL OFFICER,
OTTAPALAM-679101.**
- 2. THE VILLAGE OFFICER,KOTTATHARA VILLAGE,
AGALI,ATTAPADI,PALAKKAD-678581.**
- 3. THE SUB REGISTRAR OFFICE,AGALI-678581.**

R1 TO R3 BY SENIOR GOVT. PLEADER SRI.K.C.VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

W.P(C) NO.12001/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:A TRUE COPY OF THE DOCUMENT NO.1625/2006 DATED 23.11.2006.

**EXT.P2:A TRUE COPY OF THE BASIC TAX RECEIPT DATED 9.10.2013 ISSUED BY
2ND RESPONDENT.**

**EXT.P3:A TRUE COPY OF THE POSSESSION CERTIFICATE DATED 9.10.2013
ISSUED BY 2ND RESPONDENT.**

**EXT.P4:A TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER
DATED 25.3.2015 TO 1ST RESPONDENT.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

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W.P.(C)No.12001 OF 2015
.....

Dated this the 9th April, 2015

J U D G M E N T

Refusal on the part of the third respondent/Sub Registrar for causing registration of conveyance of the property owned by the petitioner in connection with alienation, insisting to produce verified certificate to be obtained from the RDO, made the petitioner to approach the first respondent/RDO by filing Ext.P4 representation. The petitioner is aggrieved of the delay on the part of the first respondent in considering the said representation. Hence this Writ Petition.

2. The case of the petitioner is that the provisions of Kerala Restriction on Transfer and Restoration of Lands to Scheduled Tribe Act, 1999 are not applicable to the property of the petitioner since its extent is below two hectors. When the matter is taken up for consideration, the learned Counsel for the petitioner submits that the petitioner will be satisfied if a direction is given to the first respondent/RDO to consider and dispose of Ext.P4, within a reasonable time.

3. Heard the learned Government Pleader as well.

4. Considering the limited nature of relief pressed before

this Court, it is not necessary to adjudicate the issue on merits.

5. The writ petition is disposed of, directing the first respondent/RDO to consider and dispose of Ext.P4 in accordance with law, after hearing, at the earliest, at any rate, within one month from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the 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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