

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. 12002 of 2015 (A)

PETITIONER(S):

- 1. HARISHKUMAR P.D AGED 34 YEARS
S/O.DIVAKARAN NAIR, PUTHUPARAMBIL HOUSE
KALLAMALA (PO), VILLAGE KALLAMALA
MANNARGHAT TALUK-678582.**
- 2. K.RAVEENDRAN AGED 42 YEARS
S/O.AYYAPPAN, KUNNAMPURATH HOUSE, AGALI (PO)
VILLAGE AGALI, MANNARGHAT-678581.**

BY ADV. SRI.U.BALAGANGADHARAN

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER
OTTAPALAM-679101.**
- 2. THE VILLAGE OFFICER
SHOLAYUR VILLAGE, MANNARKAD, PALAKKAD-678582.**
- 3. THE SUB REGISTRAR
OFFICE OF THE SUB REGISTRAR, AGALI, PALAKKAD-678581.**

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

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

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: A TRUE COPY OF THE DOCUMENT DATED 13.5.2013.

EXHIBIT-P2: A TRUE COPY OF THE DOCUMENT DATED 7.3.2013.

**EXHIBIT-P3: A TRUE COPY OF THE BASIC TAX RECEIPT PAID FOR THE YEAR 2014-15
DATED 14.5.2014 ISSUED BY 2ND RESPONDENT.**

**EXHIBIT-P4: A TRUE COPY OF THE POSSESSION CERTIFICATE DATED 14.5.2014
ISSUED BY THE 2ND RESPONDENT.**

**EXHIBIT-P5: A TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONERS
DATED 3.2.2015 SUBMITTED TO OTTAPALAM SUB REGISTRAR.**

RESPONDENT(S)' EXHIBITS

NIL

R.AV

//TRUE COPY//

PA TO JUDGE

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.12002 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 petitioners, insisting to produce verified certificate to be obtained from the RDO, made the petitioners to approach the first respondent/RDO by filing Ext.P5 representation. The petitioners are 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 petitioners 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 petitioners since its extent is below two hectors. When the matter is taken up for consideration, the learned Counsel for the petitioners submits that the petitioners will be satisfied if a direction is given to the first respondent/RDO to consider and dispose of Ext.P5, 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.P5 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 petitioners 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**

/k