

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937

WP(C).No. 12095 of 2015 (J)

PETITIONER(S):

1. SANKARAN NAIR, MANNARETHU THARAYIL,
CHENNITHALA VILLAGE, MAVELIKKARA TALUK,
CHERUKOL PO, PIN-690 104.
2. DHANANJAYAN.S, MANNARETHU THARAYIL,
CHENNITHALA VILLAGE, MAVELIKKARA TALUK,
CHERUKOL PO, PIN-690 104.

**BY ADVS.SRI.T.P.SAJAN
SRI.M.MOHAMED NAVAZ
SRI.P.SANTHOSH KUMAR (TR)**

RESPONDENT(S):

1. DISTRICT COLLECTOR,
O/O.THE DISTRICT COLLECTOR,
COLLECTORATE, ALAPPUZHA, PIN-688 001.
2. TAHSILDAR, MAVELIKKARA,
TALUK OFFICE MAVELIKKARA, PIN-690 101.
3. VILLAGE OFFICER, CHENNITHALA VILLAGE,
OFFICE OF THE VILLAGE OFFICER,
CHERUKOL PO, PIN-688 001.

***ADDL. R4 IMPEADED**

4. THE LAND REVENUE COMMISSIONER,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695 001.

**ADDL. R4 IS IMPEADED AS PER ORDER DATED 30.11.2015
IN IA.17197/2015.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1- TRUE COPY OF THE BUILDING TAX RECEIPT ISSUED BY
DATED 3.3.2014.
- EXT.P2- TRUE COPY OF THE RELEVANT PAGES OF RATION CARD IN THE
NAME OF THE FIRST PETITIONER.
- EXT.P3- TRUE COPY OF THE RESOLUTION DATED 20.9.1991 PASSED BY
CHENNITHALA GRAMA PANCHAYAT ALONG WITH COVERING LETTER
DATED 1.10.91.
- EXT.P4- TRUE COPY OF THE REPORT DATED 3.9.1992 OF THASILDAR.
- EXT.P5- TRUE COPY OF THE LETTER VIDE REFERENCE NO.AB3.873/92
DATED 31.7.92.
- EXT.P6- TRUE COPY OF THE LETTER VIDE REFERENCE NO.2712/92
DATED 5.11.92.
- EXT.P7- TRUE COPY OF THE SAID CERTIFICATE OF POSSESSSION
DATED 16.2.2000 ISSUED BY THE SECOND RESPONDENT.
- EXT.P8- TRUE COPY OF THE SAID APPLICATION FOR ASSIGNMENT
DATED 26.3.2012.
- EXT.P9- TURE COPY OF THE LETTER DATED 1.9.2014 OF THE
FIRST RESPONDENT.
- EXT.P10- TRUE COPY OF THE LETTER VIDES REFERENCE NO.B1 22075/14/L DIS
DATED 15.12.2014.
- EXT.P11- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONERS BEFORE THE ADDITIONAL 4TH RESPONDENT
DATED 30.10.2015.

RESPONDENT(S)' EXHIBITS:

- EXT.R2(A) : A TRUE COPY OF THE CIRCULAR NO.20541/09/C3/PWD
DATED 30.9.2009.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.12095 of 2015

Dated this the 30th day of November, 2015

JUDGMENT

The petitioner approached the Land Revenue Commissioner by Ext.P11. The reason for approaching the Land Revenue Commissioner is that the petitioner's request for assignment of the land situated in Survey No.78/17-3 of Chennithala Village has been turned down by Ext.P10 stating that road puramboke cannot be assigned. It is based on the circular issued by the Government, the request has been turned down.

In view of the above, there shall be a direction to the Land Revenue Commissioner to take a decision on Ext.P11 after adverting to the recommendation as referred in Exts.P3 to P7 within a period of three months after issuing notice to the petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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