IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 12122 of 2015 (M)

PETITIONER:

S. AMBIKA DEVI, AGED 84 YEARS,
W/O. P. BALAKRISHNAN, PLOT NO.44,
MANGLAYA, PTP NAGAR,
TRIVANDRUM 695 038.

BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.GEORGE MATHEW
SRI.DIPU JAMES

RESPONDENTS:

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1. STATE OF KERALA REP. BY
PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
GOVERNEMNT SECRETARIAT,
THIRUVANANTHAPURAM 695 001

2. THE DISTRICT COLLECTOR,
CIVIL STATION, KUDAPPANANKUNNU,
THIRUVANANTHAPURAM 695 016

3. THE TAHASILDHAR, NEYYATTINKARA TALUK,
TALUK OFFICE, MINI CIVIL STATION,
NEYYATTINKARA. 695 121

4. THE VILLAGE OFFICER
VILLAGE OFFICE, MALAYINKEEZHU
THIRUVANANTHAPURAM 695 001

5. SYNDICATE BANK, MAIN BRANCH,
STATUE BRANCH, STATUE JUNCTION,
M.G.ROAD, TRIVANDRUM - 695 001
REPRESENTED BY ITS CHIEF MANAGER

BY GOVERNMENT PLEADER SRI. P.K. SOYUZ
BY SRI.R.S. KALKURA, SC, SYNDICATE BANK

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 12122 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THE TITLE DEED NO.2561 DATED 12/07/1996 OF SRO, MALAYINKEEZHU

EXT.P2: TRUE COPY OF THE TAX RECEIPT DATED 16/10/1999

EXT.P3: TRUE COPY OF THE ORDER DATED 26/07/2010 IN I.A NO. 2030 OF 2010 IN S.A.NO. 467 OF 2010 OF THE DEBT RECOVERY TRIBUNAL, ERNAKULAM

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE

ncd

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 12122 of 2015

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Dated this the 20th day of November, 2015

J U D G M E N T

The petitioner approached this Court on account of non acceptance of basic tax in respect of the property covered by Ext.P1 document. According to the petitioner the tax was not accepted on account of the pendency of recovery proceedings initiated by the 5th respondent and also for the reason that orders of attachment are pending on the property. This Court is of the view that without prejudice to the right of the 5th respondent to proceed against the property, the basic tax shall be accepted from the petitioner. If the petitioner makes any request for correction in resurvey records the same shall also be considered by the revenue officials. Needful shall be done for correction of resurvey records within two months from the date of receipt of the copy of this judgment and the basic tax shall be accepted forthwith.

The writ petition is disposed of, as above. sd/-

sab A.MUHAMED MUSTAQUE, JUDGE