

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 19TH DAY OF JULY 2012/28TH ASHADHA 1934

WP(C).No. 16359 of 2012 (T)

PETITIONER(S):

**SEETHIMARAKKARATH ALIKOYA WAKF
REPRESENTED BY MUTHAVALLY
SIYYALI VEETIL IMBICHI PATHUMMABI, PREMIER VILLA
14/691 P.O. KALLAYI.**

**BY ADVS.SRI.A.BALAGOPALAN
SRI.A.RAJAGOPALAN
SRI.M.N.MANMADAN
SRI.M.S.IMTHIYAZ AHAMMED
SRI.K.SANEESH KUMAR**

RESPONDENTS:

- 1. THE TAHSILDAR
KOZHIKODE TALUK, KOZHIKODE-673001.**
- 2. THE VILLAGE OFFICER
KASABA VILLAGE, KOZHIKODE TALUK, KOZHIKODE-673001.**

BY GOVERNMENT PLEADER SRI. MOHAMMED SHAH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-07-2012, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S) EXHIBITS

- EXT.P1 TRUE PHOTOCOPY OF THE DOCUMENT NO. 661/1933 OF THE S.R.O. SOUTH MALABAR JOINT-1.**
- EXT.P2 TRUE PHOTOCOPY OF THE APPLICATION SUBMITTED BY THE THEN MUTHAVALLY OF THE PETITIONER WAKF BEFORE THE KERALA WAKF BOARD WITH THE ENDORSEMENT OF REGISTRATION DATED 27-12-1982.**
- EXT.P3 TRUE COPY OF THE CERTIFICATE NO. B4-6139/RA DATED 30-7-1999 ISSUED BY THE WAKF BOARD.**
- EXT.P4 TRUE PHOTOSTAT COPY OF THE APPLICATION SUBMITTED BY THE MUTHAVALLY OF THE PETITIONER WAKF DATED 26-3-2008.**
- EXT.P5 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE MUTHAVALLY OF THE PETITIONER WAKF DATED 25-4-2011.**
- EXT.P6 TRUE COPY OF THE ORDER PASSED BY THE FIRST RESPONDENT BEARING NO. B3.12325/2008 DATED 9-3-2012.**
- EXT.P7 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE MUTHAVALLY OF THE PETITIONER WAKF BEFORE THE SECOND RESPONDENT DATED 2-7-2012.**

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE.

dlk

T.R.RAMACHANDRAN NAIR, J.

W.P.(C)No.16359 Of 2012

DATED THIS THE 19th DAY OF JULY, 2012

JUDGMENT

The petitioner is seeking for a direction to the Village Officer to act upon Exhibit P6 order passed by the Tahsildar.

2. The petitioner is a Wakf registered with the Kerala Wakf Board as per the provisions of the Wakf Act. By Exhibit P6, the petitioner has been permitted to remit tax in respect of 90 cents. It is submitted by the learned counsel for the petitioner that nobody has challenged Exhibit P6 before any Forum, even as on today.

3. The petitioner approached the 2nd respondent to accept the basic tax in the light of Exhibit P6 order. But the Village Officer did not accept the tax and therefore the petitioner has filed a further representation as per Exhibit P7. It is submitted that so far no action has been taken by the Village Officer on Exhibit P7.

4. It is upto the Village Officer to take action in terms of the order Exhibit P6 and the request made by the petitioner as

per Exhibit P7. The action thereon will be finalised within a period of two weeks from the date of production of a copy of this judgment.

The Writ Petition is disposed of as above.

Sd/-(**T.R.RAMACHANDRAN NAIR, JUDGE**)

dsn