

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 13374 of 2015 (V)

PETITIONER(S):

**SHYLA, D/O PATHROSE,
AGED 42 YEARS, MADATHILPARAMBIL HOUSE,
PARUMALA P.O., ALAPPUZHA DISTRICT-689 626.**

BY ADV. SRI.PRAMOD J.DEV.

RESPONDENT(S):

- 1. THE ADDITIONAL TAHSILDAR,
TALUK OFFICE, MAVELIKKARA,
ALAPPUZHA DISTRICT-690 101.**
- 2. YOHANNAN,
OLIPPUPARAMBIL HOUSE, NOORANAD P.O.,
ALAPPUZHA DISTRICT-690 504.**
- 3. THOMAS, S/O YOHANNAN,
OLIPPUPARAMBIL HOUSE, NOORANAD P.O.,
ALAPPUZHA DISTRICT-690 504.**

R1 BY GOVT. PLEADER SRI.MANOJ P.KUNJACHAN.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1: A TRUE COPY OF THE SETTLEMENT DEED NO.1403/2011
OF MAVELIKKARA S.R.O.**

**EXHIBIT P2: A TRUE COPY OF THE TAX RECEIPT ISSUED BY THE VILLAGE
OFFICE, NOORANAD TO THE PETITIONER.**

**EXHIBIT P3: A TRUE COPY OF TH RECEIPT NO.SR445/13 DATED 15.04.2013
ISSUED FROM THE OFFICE OF THE FIRST RESPONDENT.**

EXHIBIT P4: A TRUE COPY OF THE CHALLAN DATED 11.09.2013.

**EXHIBIT P5: A TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER
BEFORE THE FIRST RESPONDENT ON 06.03.2015.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 13374 of 2015

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Dated this the 2nd day of December, 2015

J U D G M E N T

The petitioner applied for demarcation of the property belonging to her lying in Re.Sy.No.567/9 of Nooranad Village, Mavelikkara Taluk in Alappuzha District. The petitioner approached this Court on account of inaction on the part of the respondent in demarcating the property.

2. In the counter filed by the first respondent before this Court it is stated that the 2nd respondent is in possession of the portion of the land claimed by the petitioner and he has constructed a bath room in the land.

3. This Court is of the view that essentially the petitioner seeking a demarcation of the property based on her title deed. Therefore after demarcating the property based on the title deed a sketch shall be issued to the petitioner. It is made clear that the petitioner cannot interfere with the possession of the 2nd

respondent unless otherwise than through the due process of the law. The demarcation shall be done in the presence of the petitioner as well as the 2nd respondent.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE