

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYASHTA, 1937

W.P.(C).No.13710 of 2015 (K)

PETITIONER(S):-

USMAN. V.K., AGED 65 YEARS, S/O.MOHAMMEDKUTTY,
RESIDING AT VEETILAKATH KADAMBALAKKATTU HOUSE,
THRISSUR DISTRICT.

[THE PETITIONER IS REPRESENTED HEREIN BY HIS POWER OF
ATTORNEY HOLDER MR.KLLOORAYIL KADERUNNUY,
S/O.SAITH, AGED 65 YEARS, RESIDING AT GURUVAYOOR AMSOM,
CHAKKAMKANDAM P.O., CHAVAKKAD TALUK, THRISSUR DISTRICT].

BY ADVS.SRI.T.C.SURESH MENON
SRI.P.S.APPU.

RESPONDENT(S):-

1. THE TAHSILDAR,
TALUK OFFICE, THRISSUR - 680 001.

2. THE VILLAGE OFFICER, VILLAGE OFFICE, THRISSUR - 680 001.

R1 & R2 BY SENIOR GOVERNMENT PLEADER SRI.BIJU MEENATTOR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS:-

- EXT.P1: TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE
2ND RESPONDENT DATED 18/9/2010.
- EXT.P2: TRUE COPY OF THE RECEIPT ISSUED TO THE PETITIONER FOR
THE YEAR 2010 DATED 18/9/2010.
- EXT.P3: TRUE COPY OF THE RECEIPT ISSUED TO THE PETITIONER FOR
THE YEAR 2011 DATED 27/9/2011.
- EXT.P4: TRUE COPY OF THE CERTIFICATE ISSUED BY THE
2ND RESPONDENT DATED 18/9/2010.
- EXT.P5: TRUE COPY OF THE JUDGMENT IN WPC NO.22064/2013 ON THE
FILE OF THIS HONOURABLE COURT DATED 8/11/2013.
- EXT.P6: TRUE COPY OF THE BUILDING PERMIT GRANTED TO THE
PETITIONER DATED 16/5/2014.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.13710 of 2015-K

Dated this the 04th day of June, 2015

JUDGMENT

The petitioner seeks acceptance of tax, as has been done in Exhibit P2 and P3, for property in which he desires to construct a commercial building.

2. The learned Government Pleader, on instruction, submits that Exhibits P2 and P3 does not evidence any tax payment and it is only payment of ground rent and that the property belongs to the Government and if at all the petitioner has to file a proper application for assignment of the land, which will have to be considered.

3. In the above circumstances, the petitioner would have to necessarily seek for assignment. But, in the meanwhile the ground rent, if due, shall be accepted, as has been indicated in Exhibits P2 and P3.

The writ petition stands disposed of as above, making it clear that this Court has not spoken on the merits of the claim of the petitioner to get assignment of the subject land.

Sd/-

K.Vinod Chandran
Judge.

vkul/-

[true copy]