

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 13726 of 2015 (M)

PETITIONER(S) :

**M.GANESHAN, S/O.MANICKAN, AGED 43 YEARS,
HOUSE NO.IX 3276-A, NEW COLONY, IKKA NAGAR,
MUNNAR, PIN - 685 612.**

BY ADV. SRI.N.M.VARGHESE

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, REVENUE(R)DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM- 695 001.**
- 2. THE DISTRICT COLLECTOR,
IDUKKI DISTRICT, COLLECTORATE, KUYILIMALA, IDUKKI- 685 602.**
- 3. THE SUB COLLECTOR,
DEVIKULAM, DEVIKULAM P.O, PIN-685 613.**
- 4. THE TAHSILDAR
DEVIKULAM TALUK, TALUK OFFICE, DEVIKULAM, PIN-685 613.**
- 5. THE SPECIAL TAHSILDAR (LAND ASSIGNMENT),
NIRMITHY KENDRA BUILDING, DEVIKULAM, PIN-685 613.**
- 6. THE ASSISTANT ENGINEER,
KERALA STATE PUBLIC WORKS DEPARTMENT,
OFFICE OF THE ASSISTANT ENGINEER, MUNNAR- 685 602**
- 7. THE SPECIAL TAHSILDAR,
MUNNAR, OFFICE OF THE SPECIAL TAHSILDAR, IKKA NAGAR,
COLONY ROAD, MUNNAR, PIN- 685 612.**

BY GOVERNMENT PLEADER SRI.MOHAMMED SAVAD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1:** A PHOTOCOPY OF CERTIFICATE OF POSSESSION NO.956/95
DATED 28.06.1995 ISSUED IN THE NAME OF THE 1ST PETITIONER.
- EXT.P2:** A PHOTOCOPY OF OWNERSHIP CERTIFICATE NO.A2-6356/14
DATED 18.09.2014.
- EXT.P3:** A PHOTOCOPY OF RELEVANT PAGES OF RATION CARD OF
THE FAMILY OF THE 1ST PETITIONER.
- EXT.P4:** A PHOTOCOPY OF ELECTORAL IDENTITY CARD OF
THE PETITIONER.
- EXT.P5:** A PHOTOCOPY OF AADHAR CARD NO.709936542903 OF
THE PETITIONER.
- EXT.P6:** A PHOTOCOPY OF APPLICATION FOR ASSIGNMENT SUBMITTED
BY THE PETITIONER BEFORE THE 4TH RESPONDENT
- EXT.P7:** A PHOTOCOPY OF GOVERNMENT ORDER
NO.(MS)394/08/REVENUE DATED 20.11.2008 ISSUED BY
THE 1ST RESPONDENT.
- EXT.P8:** A PHOTOCOPY OF THE JUDGMENT IN W.P.(C).NO.28709/2014
DATED 31.10.2014.
- EXT.P9:** A PHOTOCOPY OF JUDGMENT OF THIS HONOURABLE COURT
DATED 06.02.2015 IN W.P.(C).NO.3428/2015.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.13726 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

This writ petition is disposed in the light of Exts.P8 and P9 judgments. There shall be a direction to the District Collector to consider Ext.P6 within a period of four months. Till a decision is taken in this matter, no coercive steps shall be taken against the petitioner. However, the petitioner shall not undertake any constructions in the property or cut and remove any trees from the property. If the assignment is not granted, respondents are free to evict the petitioner in accordance with law.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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