

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. 14157 of 2015 (T)

PETITIONER:

**O.JAYARAJ, S/O.OCHAPPAN,
AGED 54 YEARS, RESIDING AT
NEW COLONY, MUNNAR P.O, PIN - 685612.**

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 SPECIAL TAHSILDAR MUNNAR,
OFFICE OF THE SPECIAL TAHSILDAR,
COLONY ROAD, MUNNAR - 685 602.**

BY SENIOR GOVT. PLEADER SRI.M.MUHAMMED SHAFI

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

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1 : A PHOTOCOPY OF LICENSE NO A3-442/14-1 DATED 30.1.2015 ISSUED BY THE LOCAL AUTHORITY MUNNAR GRAMA PANCHAYATH IN THE NAME OF THE PETITIONER.
- EXT.P2 : A PHOTOCOPY OF HEALTH CARD AND MEDICAL FITNESS CERTIFICATE DATED 30-10-2014 OF THE PETITIONER ISSUED BY THE DEPARTMENT OF HEALTH.
- EXT.P3 : A PHOTOCOPY OF REGISTRATION CERTIFICATE NO 21314047001879 DATED 9-4-2014 ISSUED IN FAVOUR OF THE PETITIONER BY THE FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA.
- EXT.P4 : A PHOTOCOPY OF IDENTITY CARD OF THE PETITIONER FOR PETTY FOOD BUSINESS OPERATOR DATED 9-4-2014 ISSUED BY THE FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA.
- EXT.P5 : THE DETAILS OF GRANTS AS ON 25-07-2014, FROM THE YEAR 1990-1991 ISSUED BY THE BLOCK DEVELOPMENT OFFICER ON 25-7-2014.
- EXT.P6 : A PHOTOCOPY OF AADHAR CARD NO 971744359588 OF THE PETITIONER.
- EXT.P7 : A PHOTOCOPY OF ELECTORAL IDENTITY CARD OF THE PETITIONER.
- EXT.P8 : A PHOTOCOPY OF RELEVANT PAGES OF RATION CARD OF THE FAMILY OF THE PETITIONER.
- EXT.P9 : A PHOTOCOPY OF GOVERNMENT ORDER G.O(MS) NO. 394/08/REVENUE DATED 20-11-2008.
- EXT.P10 : A PHOTOCOPY OF JUDGMENT OF THIS HONOURABLE COURT DATED 26-09-2014 PASSED IN WP(C) NO 23923/2012.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

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A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14157 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

The petitioner applied for assignment of land in Survey No.62/3 of Kannan Devan Hills Village. The petitioner relies on Ext.P9 Government Order and also judgment of this Court in Ext.P10.

2. Considering the facts and circumstances, the following directions are issued:

In the light of Ext.P10 judgment, the District Collector or any other subordinate officer who is duly authorised shall consider the petitioner's application for assignment within four months from the date of receipt of a copy of this judgment. Till decision is taken in the matter, 'status quo' shall be maintained. However, the petitioner shall not construct any building or remove any trees in the property. If it is found that the petitioner is not entitled for assignment, the respondent shall take steps to summarily evict the petition in accordance with law.

The Writ petition is disposed of.

**A. MUHAMED MUSTAQUE,
JUDGE**