

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

WP(C).No. 15660 of 2015 (F)

PETITIONER(S) :

**NASEEMA, AGED 43 YEARS,
W/O.PAREEDKUNHU, KUMMANAM P.O, CHENGALAM SOUTH VILLAGE,
KOTTAYAM TALUK, KOTTAYAM.**

**BY ADVS.SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN- 695 001.**
- 2. DISTRICT COLLECTOR,
KOTTAYAM DISTRICT, CIVIL STATION, PO,
KOTTAYAM, PIN- 686 002.**
- 3. ADDITIONAL TAHSILDAR,
KOTTAYAM TALUK, THIRUNAKKARA, KOTTAYAM HPO,
KOTTAYAM DISTRICT, PIN- 686 001.**
- 4. VILLAGE OFFICER,
CHENGALAM VILLAGE, CHENGALAM P.O,
KOTTAYAM DISTRICT, PIN- 686 001.**
- 5. TALHATH,
S/O. SAHULHAMMED, KUMMANAMKARAYIL, KUMMANAM P.O.,
AYYAN KOIKKALA.M., KOTTAYAM- 686 002.**

R1 TO R4 BY GOVERNMENT PLEADER SRI.GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-09-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: THE TRUE COPY OF THE PATTA ISSUED DATED 18/11/1988.

EXHIBIT P2: THE TRUE COPY OF THE SALE DEED DATED 30/01/2013.

**EXHIBIT P3: THE TRUE COPY OF THE RECEIPT OF BASIC TAX
DATED 31/07/2013.**

EXHIBIT P4: THE TRUE COPY OF THE CERTIFICATE OF ENCUMBRANCE.

**EXHIBIT P5: TRUE COPY OF THE SALE DEED DATED 07/09/2013 EXECUTED BY
THE 5TH RESPONDENT IN FAVOR OF THE PETITIONER.**

EXHIBIT P6: THE TRUE COPY OF THE GO(MS) 355/97/RD DATED 20/05/1997.

**EXHIBIT P7: THE TRUE COPY OF THE COMMUNICATION DATED 16/04/2015
REJECTING THE PETITIONER'S APPLICATION.**

**EXHIBIT P7(A): THE TRUE COPY OF A DOCUMENT ISSUED BY THE VILLAGE
OFFICER.**

**EXHIBIT P8: THE TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.29980/2014
DATED 12/11/2014.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

~~~~~

**W.P.(C).No.15660/2015**

~~~~~

Dated this the 23rd Day of September, 2015

J U D G M E N T

The writ petitioner purchased a property covered by Exhibit P1 *patta*. Exhibit P1 *patta* is issued in the year 1988.

2. The petitioner approached this Court on account of refusal to effect transfer of registry in respect of the property covered by the *patta*.

3. The reason for not effecting transfer of registry is that by virtue of Ext.P6 Government Order dated 20-05-1997, there is a prohibition for alienation of the land granted under the *Laksham Veedu* Scheme.

4. The *patta* in question has been issued to the predecessor-in-interest of the petitioner in the year 1988. The Government Order is of the year 1997. In that view of the matter, there shall be a direction to the respondents to effect mutation in respect of the property covered by Exhibit P1 *patta* as per Exhibit P5 document within one month from the date of receipt of a copy of the judgment.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ms