

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

W.P.(C).No.16521 of 2015 (M)

PETITIONER(S):-

COL. VINCENT MATHAI, AGED 45 YEARS,
ARMY (RETIRED), VATHAPPILLIL,
KONGANDOOR P.O., AYARKUNNAM, KOTTAYAM,
NOW RESIDING AT III/IV, MOSQUE CROSS ROAD, FRASER TOWN,
BANGALORE-560005.

BY ADVS.SRI.SAJU JOHN
SRI.JELSON J.EDAMPADAM.

RESPONDENT(S):-

1. THE DISTRICT COLLECTOR & CHAIRMAN
NATIONAL TRUST KOTTAYAM DISTRICT LOCAL LEVEL COMMITTEE,
COLLECTORATE, KOTTAYAM, PIN 686 001.
2. THE SUB REGISTRAR
SUB REGISTRAR OFFICE, KIDANGOOR, PIN 686014.
3. THE VILLAGE OFFICER,
AYARKUNNAM VILLAGE, KOTTAYAM, PIN 686014.
4. THE SUB INSPECTOR OF POLICE,
AYARKUNNAM POLICE STATION, KOTTAYAM, PIN 686014.
5. LILLY VARGHESE, W/O.LATE V.M.VARGHESE, VATHAPPILLIL HOUSE,
KONGANDOOR P.O., KOTTAYAM, PIN 686564.

R1 TO R4 BY SENIOR GOVERNMENT PLEADER SRI.P.FAZIL.
R5 BY ADVS. SRI.P.B.SAHASRANAMAN
SRI.T.S.HARIKUMAR
SRI.K.JAGADEESH.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS:-

- EXHIBIT-P1: TRUE COPY OF THE STANDING DISABILITY ASSESSMENT BOARD CERTIFICATE ISSUED FROM THE GOVERNMENT MEDICAL COLLEGE, KOTTAYAM, ABOUT THE MENTAL RETRADATION OF SRI.SAJI MATHAI.
- EXHIBIT-P2: TRUE COPY OF THE DOCUMENT NO.118/1994 OF SUB REGISTRY OFFICE, KIDANGOOR PREPARED BY THE FATHER OF THE PETITIONER ALLOCATING ONE ACRE LANDED PROPERTY AND TARWARD HOUSE FOR SAJI MATHAI.
- EXHIBIT-P3: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER TO APPOINT HIM AS THE GUARDIAN OF SRI.SAJI MATHAI, BEFORE THE LOCAL LEVEL COMMITTEE UNDER THE NATIONAL TRUST FOR WELFARE OF PERSONS WITH AUTISM, CEREBRAL PALSY, MENTAL RETARDATION AND MULTIPLE DISABILITIES ACT, 1999.
- EXHIBIT-P4: TRUE COPY OF THE PROCEEDINGS NO.SJD/C/1471/2014(1) DATED 6.6.2014, OF THE LOCAL LEVEL COMMITTEE APPOINTING THE PETITIONER AS TEMPORARY GUARDIAN OF SRI.SAJI MATHAI.
- EXHIBIT-P5: TRUE COPY OF THE ORDER NO.C1471/2012 DATED 19.12.2013 OF THE 1ST RESPONDENT, DISTRICT COLLECTOR AND CHAIRMAN OF NATIONAL TRUST LOCAL LEVEL COMMITTEE, KOTTAYAM DIRECTING THE 2ND RESPONDENT TO PREVENT ANY ATTEMPT TO ALIENATE THE PROPERTY ALLOTTED TO SRI.SAJI MATHAI.
- EXHIBIT-P6: TRUE COPY OF THE ORDER NO.C 1471/2012 DATED 19.12.2013 OF THE 1ST RESPONDENT TO THE 4TH RESPONDENT.
- EXHIBIT-P7: TRUE COPY OF THE ORDER NO.SJD C/1471/2012 DATED 9.6.2014 OF THE 1ST RESPONDENT TO THE 4TH RESPONDENT.
- EXHIBIT-P8: TRUE COPY OF THE REPRESENTATION DTED 25.10.201R SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/-

[true copy]

K.Vinod Chandran, J.

W.P.(C).No.16521 of 2015-M

Dated this the 20th day of October, 2015.

JUDGMENT

In view of the subsequent events, especially the fact that the 5th respondent herein has been appointed as the guardian of the subject, who is mentally challenged, the writ petition would stand closed; however, leaving open all contentions of the petitioner.

Sd/-

K.Vinod Chandran,
Judge

vku.

[true copy]