

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 16787 of 2015 (W)

PETITIONER(S):

**ABDUL RAHIMAN,
S/O. PULIKKAL MUHAMMED KUTTY, AGED 58 YEARS,
PULIKKAL HOUSE, KANIYAMPURAM AMSOM,
OTTAPPALAM TALUK, PALAKKAD DISTRICT.**

**BY ADVS.SRI.U.K.DEVIDAS,
SRI.V.MUHAMMED RAFEEQ.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REP. BY THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.**
- 2. DIVISIONAL FOREST OFFICER,
PALAKKAD -678 001.**
- 3. THE VILLAGE OFFICER,
VILLAGE OFFICE, OTTAPPALAM- 679 101,
PALAKKAD DISTRICT.**

**BY SPL. GOVT. PLEADER (FOREST) SRI.M.P.PRAKASH.
GOVT. PLEADER SMT.C.K. SHERIN.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 16787 of 2015 (W)

APPENDIX

PETITIONERS' EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE JUDGMENT IN MFA NO.816/1987
DATED 22.02.2005 BEFORE THE HON'BLE HIGH COURT
OF KERALA.

EXHIBIT P2: TRUE COPY OF THE JUDGMENT DATED 17.10.2014 IN
WPC NO.23084/2014.

EXHIBIT P3: TRUE COPY OF THE APPLICATION DATED 30.12.2014.

EXHIBIT P4: TRUE COPY OF THE PLAN AND SKETCH PREPARED BY THE
FOREST MINI SURVEY DEPARTMENT DATED 18.10.2006.

EXHIBIT P5: TRUE COPY OF THE APPLICATION DATED 20.01.2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

K. VINOD CHANDRAN, J.

W.P(C). No.16787 of 2015

Dated this the 5th day of June, 2015.

JUDGMENT

The petitioner seeks for acceptance of tax with respect to a land now in the possession of the petitioner.

2. The learned Special Government Pleader (Forest) submits that restoration proceedings are pending. Subject to restoration proceedings, the land tax can be accepted and the petitioner could even then claim no right to challenge the restoration proceedings merely on the fact that such tax has been paid by him and received by the authorities.

In such circumstances, tax will be accepted by the authorities, however subject to the above reservation.

The writ petition is disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE

sp