

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 16816 of 2015 (B)

PETITIONER(S):

**K.G.A TRADERS PVT.LTD
XI/641, MARADU PO, ERNAKULAM 682 302
REPRESENTED ITS AUTHORISED SIGNATORY SRI.V.T.MATHEWS.**

**BY ADVS.SRI.T.A.SHAJI (SR.)
SMT.NAMITHA JYOTHISH
SRI.V.VINCENT DIDACOSE
SRI.DARSAN SOMANATH
SMT.K.P.SHEEBA**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVT.
LAND REVENUE DEPARTMENT, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM PIN 695 001.**
- 2. THE DISTRICT COLLECTOR,
IDUKKI DISTRICT PIN 685 603.**
- 3. THE TAHSILDAR,
UDUMBANCHOLA, IDUKKI DISTRICT PIN 685 508.**
- 4. THE VILLAGE OFFICER
RAJAKUMARI, IDUKKI DISTRICT PIN 685 619.**

R1-R4 BY SMT.P.K.SOIJY, SPECIAL GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03-11-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 16816 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: COPY OF THE SALE DEED, DATED 19.2.2014 AS PER DOCUMENT NO.491 OF 2014 OF RAJAKUMAR S.R.O**
- P2: COPY OF THE APPLICATION DATED NIL SUBMITTED BY THE PETITIONER**
- P3: COPY OF THE REMINDER DATED 2.3.2015 SUBMITTED BY THE DIRECTOR OF THE PETITIONER COMPANY**
- P3(A): COPY OF THE COMMUNICATION DATED 9.3.2015 ADDRESSED TO THE DISTRICT COLLECTOR, IDUKKI FORWARDING EXT P3**
- P4:- COPY OF THE RELEVANT PAGES OF THE FINAL REPORT/CHARGE SHEET IN THE CASE NO.VC 2/09/ERK DATED 30.1.2013 CONTAINING THE DRAFT CHARGE BEFORE THE COURT OF ENQUIRY COMMISSIONER AND SPECIAL JUDGE (VIGILANCE) KOTTAYAM**
- P5: COPY OF THE COMMUNICATION OF THE DEPUTY COLLECTOR (GENERAL), IDUKKI DATED 26.8.2014 ALONG WITH THE COPIES OF THE CONNECTED RECORDS SENT TO THE 2ND RESPONDENT**
- P6: COPY OF THE COMMUNICATION BY THE 3RD RESPONDENT DATED 10.12.2014 ALONG WITH THE COPIES OF THE CONNECTED RECORDS SENT TO THE 2ND RESPONDENT**
- P7: COPY OF THE REPORT OF THE 4TH RESPONDENT DATED 23.3.2015 SENT TO THE 3RD RESPONDENT**

RESPONDENT(S)' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANU SIVARAMAN, J.

W.P.(C) No.16816 of 2015

Dated this the 3rd day of November, 2015

JUDGMENT

The prayer in this writ petition is to effect mutation of properties covered by Ext.P1 sale deed and also for a direction to the 3rd respondent to consider and pass orders on Ext.P2 application for transfer of Registry within a time frame.

2. It is contended by the petitioner that Exts.P5 to P7 communications would go to prove that the petitioner is entitled to transfer of Registry as sought for by him in Ext.P2.

3. Heard Sri T.A.Shaji, learned Senior Counsel for the petitioner and the learned Special Government Pleader (Revenue) appearing for the respondents.

4. The learned Special Government Pleader would submit that there are objections to the transfer of Registry since the nature and extent of the property shown in Ext.P1 itself would show that the transfer is objectionable. The Special Government Pleader would also submit that time is required for making enquiries into the matter and passing final orders on Ext.P2.

In the circumstances, the writ petition is disposed of directing the 3rd respondent to consider Ext.P2 in the light of Exts.P5 to P7 and any other relevant material available before him, within a period of three months from the date of receipt of a copy of this judgment. W.P.(C). ordered accordingly.

JV

SD/-
ANU SIVARAMAN,
JUDGE