IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

WP(C).No. 17094 of 2015 (J)

PETITIONER(S) :

ANNAMMA, AGED 60 YEARS,
W/O. GEEVARGHESE (LATE),
RESIDING AT KUZHIVELIL HOUSE, THIRUVAZHIYAD,
CHETTIKULAMBU, KARIMPARA, KAIRADI P.O.,
PALAKKAD DISTRICT.

BY ADVS.SRI.S.KRISHNA PRASAD (AYALUR)
SMT.MINI.V.A.

RESPONDENT(S) :

THE VILLAGE OFFICER,
THIRUVAZHIYAD VILLAGE,
PALAKKAD DISTRICT, PIN-678 510.

BY SR.GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Msd.

WP(C).No. 17094 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE SALE DEED DATED 30-04-1994.

EXHIBIT P2: TRUE COPY OF THE DEATH CERTIFICATE ISSUED ON 20-05-2013.

EXHIBIT P3: TRUE COPY OF THE LEGAL HEIRSHIP CERTIFICATE DATED 17-12-2013.

EXHIBIT P4: TRUE COPY OF THE TAX RECEIPT DATED 27-05-2013.

EXHIBIT P5: TRUE COPY OF THE TAX RECEIPT DATED 31-10-2014.

EXHIBIT P6: TRUE COPY OF THE RELEASE DEED DATED 18-12-2014.

EXHIBIT P7: TRUE COPY OF THE APPLICATION DATED 22-05-2015 SUBMITTED BEFORE THE RESPONDENT.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J.

W.P.(C) No. 17094 of 2015 (J)

Dated this the 18th day of June, 2015

J U D G M E N T

The petitioner sought for mutation of the property which stood in the name of her husband on his death. The petitioner's contention is that the petitioner and her three children succeeded to the property of her husband and the children have now released their share in the name of the petitioner by Ext.P6 deed. It is on the strength of that the petitioner seeks mutation as per Ext.P7.

2. The learned Government Pleader, on instructions, submits that a Trust has raised a claim over the property on the basis of a registered Will, said to have been executed by the petitioner's husband.

3. In such circumstance, the petitioner would have to take her remedies before the appropriate civil forum. In any event, Ext.P7 application would be considered and orders passed within a period of two months from today. This Court has not observed anything on the merits of the case.

Writ petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE

jjj