

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 17604 of 2015 (A)

PETITIONER(S):

**MUHAMMED KUTTY HAJI,
MUTHAWALLI, 2005/RA, MAYYERI NORTH NISKARA PALLI,
PARAVANNOOR, KALPAKANCHERY P.O., TIRUR,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BECHU KURIAN THOMAS,
SRI.S.SREEDEV.**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, MALAPPURAM DISTRICT-676 001.**
- 2. THE DIVISIONAL OFFICER,
DIVISIONAL OFFICE, KERALA WAKF BOARD, MANJERI,
MALAPPURAM DISTRICT-676 001.**
- 3. KERALA WAKF BOARD, KALOOR, ERNAKULAM-36,
REPRESENTED BY ITS CHAIRMAN.**
- 4. TAHSILDHAR (REVENUE RECOVERY),
TALUK OFFICE, TIRUR, MALAPPURAM DISTRICT-676 001.**

**R1 & R4 BY GOVT. PLEADER SMT.M.T. SHEEBA.
R2 & R3 BY ADV. SRI.K.SHIBILI NAHA.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 17604 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT-P1: A TRUE COPY OF THE REVENUE RECOVERY NOTICE
DATED 15.01.2015 ISSUED BY THE 4TH RESPONDENT.**

**EXHIBIT-P2: TRUE COPY OF THE MEMORANDUM OF APPEAL FILED BY
THE PETITIONER BEFORE THE 3RD RESPONDENT.**

**EXHIBIT-P2(A):TRUE COPY OF STAY PETITION FILED BY THE PETITIONER IN THE
APPEAL FILED BEFORE THE 3RD RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17604 of 2015

Dated this the 12th day of June, 2015

J U D G M E N T

The petitioner as against the assessment order issued by the 2nd respondent preferred an appeal before the 3rd respondent under Section 72(7) of the Wakf Act, 1955. The petitioner approached this Court aggrieved by Ext.P1 revenue recovery proceedings issued by the 2nd respondent to recover the amount demanded under assessment.

2. Heard the learned counsel for the petitioner as well as the learned Government Pleader.

Considering the facts and circumstances of the case, this writ petition is disposed of directing the Board to dispose of the appeal within a period of four months from the date of receipt of a copy of this judgment. Till disposal of the appeal, all coercive proceedings against the petitioner based on or pursuant to the assessment shall be deferred.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV