

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

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

WP(C).No. 17666 of 2015 (G)

PETITIONER(S) :

SEBI P.K.,
S/O.KURIAPPAN,
PALIAKKARA HOUSE, P.O. CHIYYARAM,
CHIYYARAM VILLAGE, THRISSUR TALUK,
THRISSUR DISTRICT.

BY ADV. SRI.P.BHASKARAN.

RESPONDENT(S) :

1. THRISSUR CORPORATION,
REPRESENTED BY THE SECRETARY,
THRISSUR - 680 001.
2. THE SECRETARY,
THRISSUR CORPORATION, THRISSUR - 680 001.
3. GOVINDANKUTTY,
S/O.RAMANKUTTY NAIR, MAYANNUR POST, MAYANNUR VILLAGE,
TALAPPILLY TALUK, POST MAYANNUR,
THRISSUR DISTRICT, PIN - 679 105.

R1-R2 BY ADV. SRI.K.P.VIJAYAN &
BY SRI.K.P.VIJAYAN, SC, THRISSUR CORPORATION.

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

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT.P-1: TRUE COPY OF THE SALE AGREEMENT DATED 29.7.2011.

EXT.P-2: TRUE COPY OF THE SALE DEED DATED 25.8.2012.

EXT.P-3: TRUE COPY OF THE BUILDING TAX RECEIPT DATED 17.3.2015
ISSUED BY THE IST RESPONDENT.

EXT.P-4: TRUE COPY OF THE LETTER DATED 23.3.2015 ISSUED BY THE IST
RESPONDENT.

EXT.P-5: TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER
BEFORE THE IST RESPONDENT DATED 2.6.2015.

EXT.P-6: TRUE COPY OF THE AFFIDAVIT SUBMITTED BY THE PETITIONER
BEFORE THE IST RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

rvs.

P.A.TO JUDGE

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17666 of 2015

Dated this the 12th day of June, 2015

J U D G M E N T

The petitioner has approached this Court seeking for a direction to the respondent corporation to effect change of ownership of the building.

2. The petitioner is the owner of 4.05 ares of properties with a residential building therein comprised in Sy.No.2020 of Thrissur Village within the local limits of the respond corporation as per Ext.P2 sale deed. Property tax in respect of the said building is being levied by the corporation from time to time and tax for the period up to 2014-15 has been remitted as per Ext.P3. The petitioner's grievance is that though the property tax was being received from the petitioner, the receipt was being issued in the name of the earlier owners. The petitioner submitted Ext.P5, explaining the facts and circumstances and also furnished Ext.P6 sworn affidavit

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in support thereof. The petitioner alleges that in spite of these, the 1st respondent has not effected change of ownership of the building. The petitioner prays for a direction to the 1st respondent to effect change of ownership of the building in the name of the petitioner accepting Exts.P5 & P6.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent corporation.

4. As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent corporation to consider and pass appropriate orders on the application submitted by the petitioner to effect change of ownership of the building in the name of the petitioner accepting Exts.P5 & P6, this Court is of the view that the writ petition can be disposed of even without issuing notice to the 3rd respondent.

Therefore, the writ petition is disposed of directing the respondent corporation to consider and pass

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appropriate orders on the application submitted by the petitioner to effect change of ownership of the building in the name of the petitioner accepting Exts.P5 & P6, after affording the petitioner and the 3rd respondent an opportunity of being heard within a period of one month from the date of receipt of a copy of this judgment.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment as well as a copy of this writ petition before the respondent corporation at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-