

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

WP(C).NO. 18221 OF 2014 (C)

PETITIONER:

**AYYAPPAN, AGED 53 YEARS,
S/O. MOTTAYYAN @ MUTHUSWAMI, VALAKOTHI HOUSE,
ULUPPOONI, KOTTAMALA P.O., VAGAMON,
IDUKKI DISTRICT.**

**BY ADVS.SRI.A.X.VARGHESE
SRI.A.V.JOJO**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY, REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE DISTRICT COLLECTOR,
IDUKKI-685602.**
- 3. THE TAHSILDAR
TALUK OFFICE, PEERUMEDU, IDUKKI- 685531.**
- 4. THE SPECIAL TAHSILDAR (LAND ASSIGNMENT)
TALUK OFFICE, PEERMEDU, 685531.**
- 5. THE VILLAGE OFFICER
VAGAMON VILLAGE, IDUKKI-685503.**

BY SR. GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20-01-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).NO. 18221 OF 2014 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1- TRUE COPY OF THE UNREGISTERED WILL DATED 9-9-1988.
EXHIBIT P2- TRUE COPY OF THE DOCUMENTS OBTAINED UNDER RIGHT TO INFORMATION ACT DATED 21-5-2012.
EXHIBIT P3- TRUE COPY OF THE DOCUMENTS OBTAINED UNDER RIGHT TO INFORMATION ACT DATED 4-6-2012.
EXHIBIT P4- TRUE COPY OF THE TAX RECEIPT DATED 13-5-2014.
EXHIBIT P5- TRUE COPY OF THE REMITTANCE OF LAND TAX OF THE PROPERTY COVERED BY EXHIBIT P2.
EXHIBIT P6- TRUE COPY OF THE COMPLAINT DATED 1-11-2012.
EXHIBIT P7- TRUE COPY OF THE RECEIPT DATED 1-11-2012.
EXHIBIT P8- TRUE COPY OF THE COMPLAINT DATED 1-11-2012.
EXHIBIT P9- TRUE COPY OF THE RECEIPT DATED 1-11-2012.
EXHIBIT P10- TRUE COPY OF THE INFORMATION OBTAINED UNDER RIGHT TO INFORMATION ACT DATED 18-3-2013.
EXHIBIT P11- TRUE COPY OF THE REPORT OF THE 3RD RESPONDENT DATED 10-12-2012 OBTAINED UNDER RIGHT TO INFORMATION ACT.
EXHIBIT P12- TRUE COPY OF THE APPEAL PREFERRED BY THE PETITIONER UNDER RIGHT TO INFORMATION ACT DATED 19-4-2014.

RESPONDENT(S)' EXHIBITS: NIL

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//TRUE COPY//

P.A. TO JUDGE

K.HARILAL, J.

W.P.(C) No.18221 of 2014

Dated this the 20th day of January, 2015

JUDGMENT

The petitioner claims that he is the owner in possession of the properties covered by Exts.P2 and P3. He had submitted two complaints before the Revenue Adalath of the District Collector, Idukki, vide Exts.P6 and P8. Ext.P6 is one for rectifying the mistake in the survey number and Ext.P8 is for effecting mutation of the property covered by Ext.P2. Exts.P7 and P9 are the receipts evidencing receipt of those complaints by the authorities. In Ext.P10 reply to the query under the Right to Information Act, the petitioner was intimated that a report has been given to the District Collector with a request for getting survey records to rectify the mistake in survey numbers. It is also informed that Ext.P8 complaint for mutation was forwarded to the 5th respondent Village Officer for necessary action. In spite of long lapse of time, no action had been taken over the said complaint. This is the grievance projected by the petitioner in this writ petition.

2. Heard the learned counsel for the petitioner and the

learned Senior Government Pleader.

3. Going by the averments in this writ petition and the documents produced along with it, it could be seen that, as alleged in the writ petition, the petitioner has submitted Exts.P6 and P8, which are evidenced by Exts.P7 and P9. Ext.P10 reply shows that the matter has been referred to appropriate statutory authorities for action. But, in spite of long lapse of more than 1½ years, no steps had been taken as stated in Ext.P10. I find some force in the arguments advanced by the learned counsel for the petitioner.

4. Having regard to the facts and circumstances of the case, respondent Nos.3 and 5 are directed to take proper action on Exts.P6 and P8 complaints within a period of three months from the date of production of a copy of this judgment, after affording an opportunity of being heard to the petitioner.

This writ petition is disposed of accordingly.

Sd/—

K.HARILAL, JUDGE

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