

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 18321 of 2015 (M)

PETITIONER(S):

- 1. STEPHAN, S/O. LONAKUTTY,
ARAKKAL HOUSE, NJARAKKAL P.O.,
ERNAKULAM DIST.**
- 2. JANCY, W/O.STEPHAN,
ARAKKAL HOUSE, NJARAKKAL P.O.,
ERNAKULAM DIST.**

**BY SRI.RENJITH THAMPAN,SENIOR ADVOCATE
ADV. SMT.P.R.REENA**

RESPONDENT(S):

- 1. TAHSILDAR,
TALUK OFFICE, KOCHI, PIN- 682 011**
- 2. SUPERINTENDENT,
SURVEY AND LAND RECORDS, COLLECTORATE,
ERNAKULAM, PIN- 682 021**

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 18321 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE APPLICATION FILED BY THE 1ST PETITIONER
DATED 08-01-2014 FOR REVISION OF RESURVEY RECORDS
NUMBERED AS 837 OF 2014**
- EXHIBIT P2 TRUE COPY OF THE APPLICATION FILED BY KRISHNAKUMAR DATED
28-05-2014**
- EXHIBIT P3 TRUE COPY OF THE LETTER DATED 13-03-2015 ISSUED FROM THE
TALUK OFFICE TO THE SUB REGISTRAR/VILLAGE OFFICER**
- EXHIBIT P4 TRUE COPY OF THE REPRESENTATION FILED BY THE 1ST
PETITIONER BEFORE THE RESPONDENTS DATED 22-05-2015**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

K. VINOD CHANDRAN, J.

W.P(C). No.18321 of 2015

Dated this the 26th day of June, 2015.

JUDGMENT

The petitioners are aggrieved with the fact that, Ext.P1 application is not being considered. The petitioners' contention is with respect to the possession of a land having a total extent of 10.130 cents in old Survey No.293/3,4 and 5 of Njarakkal Village. Even as per the schedule in the document, item No.2 is shown as a way, which is lying in Survey No.293/3,4. The petitioners' contention is that, the same was wrongly shown in another Survey Number, being Survey No.29/11 and shown as "Nalithuvazhi" and not as the property owned by the petitioners. The petitioners hence filed Ext.P1 application to carry out a re-survey.

2. The learned Government Pleader submits that, an objection has been received from one Krishnakumar, who is said

to have been using the said pathway.

3. The petitioners submit that the hearing has already concluded. However if the said Krishnakumar has not been heard, the matter shall be reopened and notice shall be issued to the third party and the proceedings shall be concluded expeditiously on receipt of a certified copy of this judgment.

The writ petition is disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE

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