

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).No. 18578 of 2015 (V)

PETITIONER :

**DR.BIJU RAMESH
AGED 51, S/O. LATE G. RAMESHAN
RESIDING AT SAMTHRIPTI, TC NO. 37/852,
EAST FORT, TRIVANDRUM – 685 023.**

**BY SENIOR ADVOCATE SRI.C.P.SUDHAKARA PRASAD
BY ADV. SRI.P.G.JAYASHANKAR**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY
GOVERNMENT SECRETARIAT, TRIVANDRUM – 695 001.**
- 2. THE CHIEF SECRETARY
GOVERNMENT OF KERALA
GOVERNMENT SECRETARIAT
TRIVANDRUM – 695 001.**
- 3. THE DISTRICT COLLECTOR
CIVIL STATION, KUDAPPANAKKUNNU
TRIVANDRUM – 695 043.**
- 4. THE REVENUE DIVISIONAL OFFICER
CIVIL STATION, KUDAPPANAKKUNNU
TRIVANDRUM- 695 043.**
- 5. TAHSILDHAR
TALUK OFFICE, EAST FORT
TRIVANDRUM – 695 023.**

R1 TO R5 BY GOVT. PLEADER SRI. SUJITH MATHEW JOSE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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...2/-

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF THE SWETTLEMENT DEED NO. 4087/2010.
- EXT.P2 COPY OF THE LAND TAX RECEIPT NO. K 0824201 DATED 8/6/2015.
- EXT.P3 COPY OF THE PROCEEDING NO. 2R1/14428/14 DATED 31.12.2014.
- EXT.P3(a) COPY OF THE BUILDING TAX RECEIPT NO. 14613 DATED 18.6.2015.
- EXT.P3(b) COPY OF THE BUILDING TAX RECEIPT NO. 14614 DATED 18.6.2015.
- EXT.P3(c) COPY OF THE BUILDING TAX RECEIPT NO. 14615 DATED 18.6.2015.
- EXT.P3(d) COPY OF THE BUILDING TAX RECEIPT NO. 14616 DATED 18.6.2015.
- EXT.P4 COPY OF THE OWNERSHIP CERTIFICATE NO. 4589 DATED 1.1.2015.
- EXT.P4(a) COPY OF THE OWNERSHIP CERTIFICATE NO. 4591 DATED 1.1.2015.
- EXT.P4(b) COPY OF THE OWNERSHIP CERTIFICATE NO. 4593 DATED 1.1.2015.
- EXT.P4(c) COPY OF THE OWNERSHIP CERTIFICATE NO. 4595 DATED 1.1.2015.
- EXT.P5 COPY OF THE SALE DEED NO. 3132 OF 1972.
- EXT.P6 COPY OF THE NOTICE BEARING NO. D-8285/2015 DATED 8.5.2015 TO THE PETITIONER.
- EXT.P7 COPY OF THE NOTICE BEARING NO. D-8285/2015 DATED 8.5.2015 TO THE PETITIONERS MOTHER.
- EXT.P8 COPY OF THE 'THANDAPERKANAKKU' OF SURVEY NO. 560/364-3.

(Contd...)

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- EXT.P8(a) COPY OF THE SETTLEMENT REGISTER OF SURVEY NO. 560/364.**
- EXT.P9 COPY OF THE REPLY DATED 11.6.2015.**
- EXT.P9(a) COPY OF THE ACKNOWLEDGMENT RECEIVED BY THE PETITIONER
NO.C1/41564/15 FROM THE 2ND RESPONDENT.**
- EXT.P9(b) COPY OF THE ACKNOWLEDGMENT RECEIVED BY THE PETITIONER
FROM THE 3RD RESPONDENT.**
- EXT.P9(c) COPY OF THE ACKNOWLEDGMENT RECEIVED BY THE PETITIONER
NO.L/11527/15 FROM THE 4TH RESPONDENT.**
- EXT.P9(d) COPY OF THE ACKNOWLEDGMENT RECEIVED BY THE PETITIONER
NO.C1/41318/15 FROM THE 5TH RESPONDENT.**
- EXT.P10 COPY OF THE REPORT IN THE MANORAMA NEWSPAPER DATED
12-6-2015.**
- EXT.P11 COPY OF THE REPORT DATED 18.6.2015 IN THE MALAYALA
MANORAMA.**

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P.(C) No. 18578 of 2015 (V)

Dated this the 22nd day of June, 2015

J U D G M E N T

The petitioner challenges an order of eviction in the writ petition which the learned Government Pleader, on instructions, submits has been withdrawn as per Order dated 16.6.2015.

2. If at all the Government intends to take any proceedings for eviction, then that shall be with notice, with specific details provided as to the property from which the eviction is to be made and giving a reasonable opportunity to file objections as also affording a hearing.

The writ petition would stand closed with the above directions making it clear that the contentions of the petitioner are left open.

Sd/-
K.VINOD CHANDRAN,
JUDGE