

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

WP(C).No. 19111 of 2015 (L)

PETITIONER :

**SATHYANESAN
S/O. RAGHAVAN, AGED 49 YEARS
KANJIRAPARAMBIL HOUSE, KUMMANAM
THIRUVARPPU, KOTTAYAM.**

BY ADV. SRI.S.NIDHEESH

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
IDUKKI - 685 603.**
- 2. THE TAHSILDAR,
PEERMADE, IDUKKI - 685 531.**
- 3. THE VILLAGE OFFICER
PEERMADE, IDUKKI - 685 531**

R1 TO R3 BY SPL. GOVT. PLEADER SMT. SUSEELA R. BHATT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 19111 of 2015 (L)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1 TRUE COPY OF THE LAND TAX REMITTANCE RECEIPT DATED 5-5-2003
ISSUED TO THE PETITIONER.
- EXHIBIT P2 TRUE COPY OF THE INTERIM ORDER DATED 25-08-2004 IN I.A
NO. 1717/2004 IN R.S.A NO. 914/2004.
- EXHIBIT P3 TRUE COPY OF THE RELEVANT INFORMATION OBTAINED UNDER THE
RIGHT TO INFORMATION ACT.
- EXHIBIT P4 COPY OF THE ENDORSEMENT IN THANDAPER ACCOUNT.
- EXHIBIT P5 TRUE COPY OF THE ORDER OF THE VILLAGE OFFICER DATED
19-08-2011.
- EXHIBIT P6 TRUE COPY OF THE REQUEST DATED 5-1-2015 TO THE 2ND
RESPONDENT AND ALSO TO THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J.

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W.P.(C). No.19111 of 2015

Dated this the 17th day of December, 2015

JUDGMENT

The petitioner has approached this Court challenging the endorsement on Ext.P4 as to not accept land tax from the petitioner, on account of the pendency of a civil suit. Petitioner claims title over his property based on the Patta. It appears that certain other persons have raised claim over his property.

2. In the counter affidavit filed on behalf of the second respondent it is stated that the petitioner fail to produce any records before the Revenue authorities showing the genuineness of Patta obtained by him. On account of this Revenue authorities erected a board showing that it is a "Government owned land".

3. In that view of the matter, this Court is of the view that the petitioner shall produce necessary records before the second respondent. Second respondent after verifying the records shall find out whether petitioner has valid and genuine title over the property. This shall be done after hearing the petitioner as well as the objectors and appropriate decision shall be taken in this

regard, in accordance with law, within three months. Based on the outcome of such decision, tax can be either accepted or refused.

The writ petition is disposed of.

**A. MUHAMED MUSTAQUE,
JUDGE.**