

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

WP(C).No. 19268 of 2015 (G)

PETITIONER(S) :

**SATHI BHASKARABHANU,
C/O.N.V.PRATHAPAN, NIKATHITHARA HOUSE, NARAKKAL.P.O,
ERNAKULAM.**

BY ADV. SRI.SUNIL JACOB JOSE

RESPONDENT(S) :

- 1. THE SPECIAL TAHSILDAR (LR),
O/O.SPECIAL TAHASILDAR(LR), LAND TRIBUNAL, ERNAKULAM,
MINI CIVIL STATION, TRIPUNITHURA.P.O, PIN-682 031.**
- 2. PENNAMMA,
D/O.KUNJAN, PARUTHITHURA HOUSE, PARUTHITHARA COLONY,
AMBEDKAR ROAD, EDAKOCHI, ERNAKULAM-682 010.**

R1 BY GOVERNMENT PLEADER SRI.MANOJ KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 19268 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1: PHOTOCOPY OF THE ORDER DATED 15/11/2012 OF THE LAND TRIBUNAL
ERNAKULAM.**
- P2: PHOTOCOPY OF THE REPRESENTATION DATED 29/05/2013 FILED
BEFORE THE 1ST RESPONDENT.**
- P3: PHOTOCOPY OF THE COMMUNICATION BEARING NO.B42555/13
DATED 23/01/2014 OF THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19268 of 2015

Dated this the 23rd day of November, 2015

JUDGMENT

The husband of the petitioner, late Bhaskarabhanu along with two sisters Subhadra and Pennamma applied for Kudikidappu Pattayam. Subhadra is also no more. The petitioner is the only legal heir of Bhaskarabhanu. Therefore, the petitioner and Pennamma are entitled for purchase certificate.

2. The Special Tahsildar as per Ext.P3 refused to issue Pattayam citing that either Pennamma has to appear or authorisation has to be given to the petitioner for the purpose of issuance of Pattayam. The petitioner challenges Ext.P3. According to the petitioner, Pennamma will neither appear nor will authorize any person to obtain Pattayam.

This Court is of the view that since the petitioner is not disputing the entitlement of Pennamma, the Special Tahsildar is directed to issue Pattayam showing the name of the petitioner as well as Pennamma within a period of one month from the date of

receipt of a copy of this judgment and necessary endorsement shall be obtained from the petitioner regarding acknowledgement of issuance of Pattayam.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In