

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 19881 of 2014 (I)

PETITIONER :

DEVASSYKUTTY, AGED 46
S/O. KUTTIKADAN VAREETH, HOUSE NO. 11/373, KODAKARA
THESSERI, MUKUNDAPURAM, THRISSUR -680 689

BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.BENOJ C. AUGUSTIN
SRI.SEBIN THOMAS
SRI.PRATHAP PILLAI
SMT.J.KASTHURI
SRI.G.RAJESH (DIWAN)
SRI.VIVEK V. KANNANKERI
SRI.VISHNU BHUVANENDRAN

RESPONDENT(S) :

1. THE VILLAGE OFFICER
MURIYAD VILLAGE, MUKUNDAPURAM,
THRISSUR DISTRICT-680 689.

2. REVENUE DIVISIONAL OFFICER
THRISSUR-680 003.

*ADDL. R3 IMPEADED

*ADDL.R3. SHRI.RAJAN PANIKKAR
S/O.KANDEDATH PAPPIYAMMA, MURIYAD VILLAGE
MUKUNDAPURAM TALUK, MURIYAD.P.O. - 680 694.

*ADDL. R3 IS IMPEADED AS PER ORDER DATED 21/08/2014 IN IA 10951/2014.

R1 & R2 BY SR. GOVT. PLEADER SRI. JOSEPH GEORGE
ADDL.R3 BY SENIOR ADVOCATE SRI.RENJITH THAMPAN
BY ADV. SMT.P.R.REENA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Mn

...2/-

WP(C).No. 19881 of 2014 (I)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT-P1- TRUE COPY OF THE SALE DEED DATED 09/12/2013 EXECUTED IN FAVOUR OF THE PETITIONER.**
- EXHIBIT-P2- TRUE COPY OF THE LAND TAX RECEIPT DATED 29/07/2013.**
- EXHIBIT-P3- TRUE COPY OF THE ENCUMBRANCE CERTIFICATE DATED 12/12/2013.**
- EXHIBIT-P4- TRUE COPY OF THE O.S 4195/2013 BEFORE THE MUNSIFF'S COURT, IRINJALAKKUDA.**
- EXHIBIT-P5- TRUE COPY OF THE PROCEEDINGS IN I.A 4830/2013 IN O.S 4195/2013 BEFORE THE MUNSIFF'S COURT, IRINJALAKKUDA.**
- EXHIBIT-P6- TRUE COPY OF THE PETITION, B2-7953/2014 DATED 29/05/2014 FILED BEFORE THE REVENUE DIVISIONAL OFFICER, THRISSUR.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 19881 of 2014

Dated this the 8th day of January, 2015

J U D G M E N T

The petitioner has approached this Court seeking for a direction to be given to the concerned respondent to effect transfer of Registry within a time frame. The petitioner has already moved the 2nd respondent by way of Ext.P6, which has not turned to be fruitful and hence the writ petition.

2. Heard the learned counsel for the petitioner, learned Government Pleader appearing for the respondents 1 and 2 and learned counsel appearing for the 3rd respondent. The case of the petitioner is that, he purchased the property having an extent of 5.41 Ares in Sy. No..380/3 of Muriyad Panchayath, Mukundapuram Taluk, Thrissur District, as borne by Ext.P1 'Sale Deed'. Ext.P2 is the 'tax receipt' dated 29.07.2013 issued in favour of the predecessor in title and Ext.P3 is the Encumbrance Certificate dated 12.12.2013. The petitioner has also brought on record that, the additional respondent had filed a Civil Suit as O.S. No.4195/2013 before the Munsiff's Court, Irinjalakkuda, in connection with some rights over a pathway and that no interim

order of injunction in any manner has been issued against the petitioner herein or in connection with the relief sought for.

3. In the said circumstances, the 1st respondent is directed to take further action pursuant to Ext.P6 in the application preferred by the petitioner for effecting mutation. It shall be done, in terms of the provisions of the 'Transfer of Registry Rules' and on satisfaction of all requirements in law, at the earliest, at any rate, within a period of 'six weeks' from the date of receipt of a copy of this judgment.

4. It is made clear that, the rights and liberties of the parties concerned over the property or the pathway will depend upon the outcome of the Civil suit, if any.

The writ petition is disposed of accordingly. The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the concerned respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.