

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

WP(C).No. 19739 of 2015 (N)

PETITIONER :

JANAKI, AGED 61 YEARS
W/O.SREEDHARAN, THADATHIL HOUSE,
MULAYAM P.O.,VALAKKAVU
THRISSUR.

BY ADV. SRI.P.K.SAJEEV

RESPONDENT(S) :

1. THE DISTRICT COLLECTOR
COLLECTORATE, THRISSUR - 3.
2. THE TAHSILDAR
TALAPPILLY TALUK OFFICE,
WADAKKANCHERRY, THRISSUR
PIN - 680 582.
3. THE ADDITIONAL TAHSILDAR
TALAPPILLY TALUK OFFICE,
WADAKKANCHERRY, THRISSUR
PIN - 680 582.
4. THE VILLAGE OFFICER
VILLAGE OFFICE, PAZHAYANNUR,
PIN -680 587.

*ADDL. R5 IMPEADED

*ADDL.R5. KRISHNANKUTTY
S/O. VELU EZHUTHASSAN, THEKKETHARA DESOM
PAZHAYANNUR VILLAGE, TALAPPILLY TALUK,
PIN - 680 587.

*ADDL.R5 IMPEADED AS PER ORDER DATED 20.07.2015 IN IA 9549/15.

R1 TO R4 BY GOVT. PLEADER SRI.MANOJ P. KUNJACHAN
ADDL R5 BY ADVS. SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA
SMT.VINAYA V. NAIR

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

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P-1: TRUE COPY OF THE TAX RECEIPT NO.75 DATED 7.2.1981 ISSUED FROM THE OFFICE OF THE 4TH RESPONDENT.
- EXT.P-2: TRUE COPY OF THE RELEVANT PAGES OF THE LABT REGISTER MAINTAINED IN THE OFFICE OF THE 4TH RESPONDENT.
- EXT.P-3: TRUE COPY OF THE COMPLAINT DATED 25.11.2011 GIVEN BY THE PETITIONER BEFORE THE HONOURABLE CHIEF MINISTER'S SETTLEMENT PROGRAMME.
- EXT.P-4: TRUE COPY OF THE REPRESENTATION GIVEN BY THE PETITIONER TO THE 4TH RESPONDENT.
- EXT.P-5: TRUE COPY OF THE LETTER NO.B6-JSP/486/11 ISSUED BY THE 3RD RESPONDENT TO THE 4TH RESPONDENT.
- EXT.P-6: TRUE COPY OF THE PLAINT IN OS. 608/2013 ON THE FILES OF SUB COURT, THRISSUR.
- EXT.P-7: TRUE COPY OF THE REPORT ON MEDIATION ALONG WITH DECLARATION FOR MEDIATION AND MEDIATION AGREEMENT.
- EXT.P-8: TRUE COPY OF THE JUDGEMENT DATED 28.3.2014 IN OS. 608/2013 ON THE FILES OF SUB COURT, THRISSUR.
- EXT.P-9: TRUE COPY OF THE DECREE DATED 28.3.2014 IN OS. 608/2013 ON THE FILES OF SUB COURT, THRISSUR.
- EXT.P-10: TRUE COPY OF THE APPLICATION DATED 23.4.2013 GIVEN BY THE PETITIONER TO THE 4TH RESPONDENT.
- EXT.P-11: TRUE COPY OF THE COMMUNICATION LETTER DATED 29.4.2013 GIVEN BY THE 4TH RESPONDENT TO THE OFFICE OF THE 2ND RESPONDENT.
- EXT.P-12: TRUE COPY OF THE APPLICATION DATED 13.5.2014 GIVEN BY THE PETITIONER TO THE 2ND RESPONDENT.
- EXT.P-13: TRUE COPY OF THE LEGAL OPINION NO.A6-LO44/2014/KBR DATED 4.7.2014 GIVEN BY THE DISTRICT GOVERNMENT PLEADER, THRISSUR TO THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 19739 of 2015

Dated this the 11th day of November, 2015

J U D G M E N T

Petitioner and three others claim title to the property, one acre comprised in Sy.No.1360/196 of Pazhayannur Village on the demise of the original holder of the property viz., Chakki. There was a suit (O.S.No.698/2013) between the petitioner and the additional fifth respondent. During the course of the proceedings in the above suit, the matter was referred to the mediation centre and after discussions, the matter was settled between the parties and a mediation agreement was entered into between them. Pursuant to that agreement, the above suit was decreed in terms of the compromise. Petitioner now wants to effect the transfer of registry and to pay the basic tax.

2. Fifth respondent also submits that he has no objection.
3. Considering the facts and circumstances of the case,

appropriate action shall be initiated by the Additional Tahsildar, Talappilly Taluk Office, Wadakkancherry to effect transfer of registry after adverting to Ext.P8 judgment in O.S.No.608 of 2013. Needful shall be done within a period of three weeks from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO.19739 of 2015

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