IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 20673 of 2015 (H)

PETITIONER:

VALLIYAMMA CHANDRAN,
MANAKKALATHIL HOUSE,
KARIKKUZHY P.O., NEERETTUPURAM,
ALAPPUZHA DISTRICT.

BY ADV. SRI.UNNI. K.K. (EZHUMATTOOR)

RESPONDENT(S):

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1. STATE OF KERALA,
   REPRESENTED BY SECRETARY TO GOVERNMENT,
   REVENUE DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM - 695 001.

2. DISTRICT COLLECTOR,
   COLLECTORATE, ALAPPUZHA - 686 101.

3. TAHSILDAR,
   TALUK OFFICE, KUTTANADU - 686 124.

4. VILLAGE OFFICER, VILLAGE OFFICE,
   MUTTAR, KUTTANADU TALUK - 686 124.

5. SHAJI GOPALAN,
   PUTHENCHIRA KALI VILASAM, MITHRAKKARI,
   ALAPPUZHA DISTRICT - 686 124.

R1 TO R4 BY GOVERNMENT PLEADER SMT.C.K.SHERIN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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WP(C).No. 20673 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT. P1 : **TRUE COPY OF THE CERTIFICATE ISSUED BY THE LAND TRIBUNAL.**

EXT. P2 : **TRUE COPY OF THE GIFT DEED EXECUTED BY KALI GAURIKUTTY.**

EXT. P3 : **TRUE COPY OF THE THANDAPER REGISTRY SHOWING THE NAME OF THE 5TH RESPONDENT.**

EXT. P4 : **TRUE COPY OF THE TAX RECEIPT DATED 1-6-1991 IN THE NAME OF THE MOTHER OF THE PETITIONER.**

EXT. P5 : **TRUE COPY OF THE REPORT DATED 28-11-2014 OF THE 4TH RESPONDENT.**

EXT. P6 : **TRUE COPY OF THE DIRECTION ISSUED BYTHE 2ND RESPONDENT ON 15-5-2015.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P.(C) No. 20673 of 2015 (H)

Dated this the 16th day of July, 2015

<u>J U D G M E N T</u>

The petitioner is the owner of properties covered under Ext.P2 gift deed. The gift was made by the petitioner's mother and her sister, who obtained the properties as per Ext.P1 certificate issued by the Land Tribunal. The Thandaper Register, by mistake, showed the name of the 5th respondent, as is indicated at Ext.P3. However, the 5th respondent issued a No Objection Certificate and expressed his readiness to correct the mistake. The report on that count is produced at Ext.P5. The tax payment effected by the petitioner's predecessor-in-interest on 1.6.1991, is produced at Ext.P4. The petitioner is now aggrieved with the fact that the property is not being mutated as per the Transfer of Registry Rules, 1966. The 2nd respondent has also issued Ext.P6 in favour of the petitioner.

2. In such circumstance, there can be no impediment in carrying out the mutation, as applied for by the petitioner. The same shall be done within two weeks from the date of production of the certified copy of this judgment.

Writ petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE

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