

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

WP(C).No. 21150 of 2015 (P)

PETITIONER(S):

**RAMESH, AGED 36 YEARS,
S/O. LATE SANKARAN NAIR, VELLUR HOUSE,
NETTISSERY VILLAGE, THRISSUR DISTRICT.**

BY ADV. SRI.M.K.DILEEP KUMAR

RESPONDENT(S):

- 1. DISTRICT COLLECTOR, THRISSUR,
COLLECTORATE, P.O.AYANTHOLE, THRISSUR DISTRICT,
PIN:680 003.**
- 2. FOR NETTISSERY DEVASWOM,
COCHIN DEVASWOM BOARD,
REPRESENTED BY THE COMMISSIONER,
SIVA SAKTHI BUILDING, ROUND NORTH, THRISSUR,
THRISSUR DISTRICT.**

**R1 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R2 BY ADV. SRI.G.RAJAGOPAL, SC, COCHIN DEVASWOM BOARD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE PURCHASE CERTIFICATE DATED 13.10.1976 ISSUED
THE NAME OF SANKARAN NAIR.**

**EXHIBIT P2: TRUE COPY OF THE SETTLEMENT DEED NO.5761/2007 OF THRISSUR
SRO.**

**EXHIBIT P3: TRUE COPY OF THE BASIC TAX RECEIPT FOR THE YEAR 2010-2011
ISSUED IN THE NAME OF PETITIONER BY NETTISSERY VILLAGE OFFICE.**

**EXHIBIT P4: TRUE COPY OF THE ORDER NO.85/08 DATED 19.10.12 ISSUED BY
SPECIAL TAHASILDAR, COCHIN DEVASWOM BOARD.**

**EXHIBIT P5: TRUE COPY OF THE ORDER NO.18560/2012 DATED 7.3.14 ISSUED BY
SUB COLLECTOR, THRISSUR.**

**EXHIBIT P6: TRUE COPY OF THE REVISION PETITION DATED 31.3.14 FILED BY THE
PETITIONER BEFORE THE FIRST RESPONDENT.**

**EXHIBIT P7: TRUE COPY OF THE ORDER NO.B4-28534/14 DATED 6.12.14 ISSUED BY
THE FIRST RESPONDENT.**

RESPONDENT(S)' ANNEXURES:

**ANNEXURE R2(a): TRUE PHOTOSTAT COPY OF THE COMPROMISE DECREE
DTD.29.5.1986 IN OS.NO.227 OF 1981 ON THE FILE MUNSIFF'S
COURT, THRISSUR.**

**ANNEXURE R2(b): TRUE PHOTOCOPY OF THE ORDER DTD.22.7.2009 IN A 85/2008 OF
THE SPECIAL TAHSILDAR, COCHIN DEVASWOM BOARD.**

**ANNEXURE R2(c): TRUE PHOTOCOPY OF THE PLAINT IN OS.NO.3400 OF 2011 ON THE
FILES OF THE MUNSIFF'S COURT, THRISSUR.**

**ANNEXURE R2(d): TRUE PHOTOCOPY OF THE PROCEEDINGS NO.K.DIS/599/2011/A3
DTD.18.10.2011 OF THE R.D.O., THRISSUR.**

**ANNEXURE R2(e): TRUE PHOTOCOPY OF THE ORDER DTD.7.5.2012 IN B4-70204/2011
OF THE FIRST RESPONDENT.**

**ANNEXURE R2(f): TRUE PHOTOCOPY OF THE ORDER DTD.19.10.2012 IN
PROCEEDINGS NO.A 85/2008 OF THE SPECIAL TAHSILDAR,
COCHIN DEVASWOM BOARD.**

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

=====

W.P.(C).No. 21150 of 2015

=====

Dated this the 22nd day of September, 2015

J U D G M E N T

The petitioner challenging an order passed by the District Collector invoking the powers under the Land Conservancy Act has approached this Court.

2. It is found in the impugned order that the land in question belongs to Devaswom as per Ext.R2(a). It is also seen now there was a civil suit in respect of the property in which the petitioner was a party. It is to be noted that in the earlier there were land conservancy proceedings and the possession was taken by the authorities evicting the petitioner.

3. It is seen that the petitioner was also filed O.S No. 3400/2011 before the Munsiff Court, Thrissur and the above suit was dismissed for non prosecution. It is to be noted that the petitioner challenged the orders of eviction before the District Collector. The District Collector after adverting to the facts and

found that the eviction of the petitioner is legal as per Ext.P7. This court do not find any reason to interfere with the order. Accordingly the writ petition is dismissed. No costs.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE