

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

WP(C).No. 24932 of 2012 (N)

PETITIONER(S):

ABDUL MAJEED, S/O.SHAKE ADAR, AGED 75 YEARS,
NEDIYAZHIKAM, KTN -206,
MUNDAKKAL VILLAGE,
VADAKKEVILA P.O, KOLLAM DISTRICT

BY ADVS.SRI.VINOD J.DEV
SRI.PRAMOD J.DEV

RESPONDENT(S):

1. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
STATE SECRETARIAT,
THIRUVANANTHAPURAM 695 001
2. THE DISTRICT COLLECTOR,
KOLLAM,
KOLLAM DISTRICT 691 013
3. THE ADDITIONAL TAHSILDAR,
KOLLAM,
KOLLAM DISTRICT 691 013

* ADDITIONAL R4 IMPEADED

*ADDL.R4 HASSAN KUNJU,
JUBAIRA MANZIL, KTN-204,MUNDAKKAL,
VADAKKEVILA.P.O,KOLLAM DISTRICT.

IS IMPEADED AS ADDITIONAL R4 AS PER ORDER DATED 28.11.2012 IN
I.A.15593/12.

R1-R3 BY GOVERNMENT PLEADER SRI.MANOJ P.KUNJACHAN

ADDL.4 BY DR.K.P.SATHEESAN (SENIOR ADVOCATE)
ADVS.SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P(C).NO.24932/2012

APPENDIX

PETITIONERS EXHIBITS

EXHIBIT.P1: TRUE COPY OF THE FIELD SKETCH OF THE PROPERTIES

EXHIBIT P2: A TRUE COPY OF THE JUDGMENT DATED 1.08.2012 IN WP(C)
NO.11310 OF 2012 PASSED BY THIS HON'BLE COURT.

EXHIBIT P3: A TRUE COPY OF THE NOTICE NO.B16-59299/12
DATED 08.10.2012 IN LC 26/12 ISSUED BY THE THIRD RESPONDENT
to the PETITIONER.

EXHIBIT P4: A TRUE COPY OF THE NOTICE NO.B16-59299/12
DATED 08.10.2012 IN LC 26/12 ISSUED BY THE THIRD
RESPONDENT to the PETITIONER'S WIFE..

RESPONDENT EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

kas/

K. VINOD CHANDRAN, J.

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Dated this the 17th day of July, 2015

J U D G M E N T

The petitioner was aggrieved with the Land Conservancy proceedings initiated as per Exts.P3 and P4. The petitioner has also filed objections as per Ext.P5. The petitioner's contention is that the very same issue is the subject of a suit, O.S No.234/2012 pending before the Sub Court, Kollam.

2. In any event, there was a stay of the Land Conservancy proceedings at the time of admission. In such circumstance, it is only proper that the Land Conservancy proceedings be kept in abeyance till the decision in the suit. If the suit has already been disposed of and it has gone against the petitioner, then definitely, the Land Conservancy proceedings

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could be continued.

The writ petition would stand closed with the above observations.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.