

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 21374 of 2015 (V)

PETITIONER:

**P.R.PADMANABHAN, AGED 73 YEARS,
S/O. RAMAN, PUTHUVALSTHALATH,
PUTHUVYPPU, KOCHI.**

BY ADV. SRI.P.K.SHAJU

RESPONDENTS:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT, CIVIL STATION, KAKKANADU,
ERNAKULAM-682 030.**
- 3. THE DEPUTY COLLECTOR (VIGILANCE),
COLLECTORATE, CIVIL STATION, KAKKANAD,
ERNAKULAM-682 030.**
- 4. THE TAHSILDAR,
TALUK OFFICE, KOCHI-682 001.**
- 5. P.R.CHANDRN,
PUTHUVALSTHALATH, MURUKKUMPADOM,
PUTHUVYPPU, KOCHI.**

R1 TO R4 BY GOVERNMENT PLEADER SRI.MANOJ P. KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).No. 21374 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1- TRUE COPY OF THE PATTAYAM ISSUED TO THE PETITIONER IN LA NO. 141/68 DATED 18/3/1968 OF THE TAHSILDAR, COCHIN TALUK AT FORT COCHIN STATION.
- EXHIBIT P2- TRUE COPY OF THE LAND TAX RECEIPT DATED 27-6-2011 FOR PAYMENT OF TAX UP TO 2011-12.
- EXHIBIT P3- TRUE COPY OF THE RECEIPT DATED 18-10-2012 ISSUED BY THE ADDITIONAL TAHSILDAR, TALUK OFFICE, KOCHI.
- EXHIBIT P4- TRUE COPY OF THE REPORT DATED 20-11-2012 SUBMITTED BY THE 4TH RESPONDENT TO THE 2ND RESPONDENT.
- EXHIBIT P5- TRUE COPY OF THE ENQUIRY REPORT ALONG WITH FORWARDING LETTER DATED 13-9-2013 OF THE 3RD RESPONDENT TO THE 2ND RESPONDENT.
- EXHIBIT P6- TRUE COPY OF THE REPORT DATED 21-3-2014 OF THE VILLAGE OFFICER, PUTHUVYPPU.
- EXHIBIT P7- TRUE COPY OF THE PATTAYAM NO. 810/68 ISSUED TO ONE CHORI ANTONY AT THE RELEVANT TIME IN RESPECT OF 4.91 ARES IN SURVEY NO. 1466/24 OF ELANKUNNAPUZHA.
- EXHIBIT P8- TRUE COPY OF THE REPORT DATED 16-5-2014 SUBMITTED BY THE 4TH RESPONDENT TO THE 2ND RESPONDENT.
- EXHIBIT P9- TRUE COPY OF THE REPRESENTATION DATED 14-7-2014 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.21374 of 2015

Dated this the 19th day of October, 2015

JUDGMENT

The petitioner has approached this Court alleging that the property belongs to him and situated in Re-survey No.171/4 of Puthuvyppu Village has been attempted to be included as a Sarkar puramboke. The petitioner made representation before the first respondent by Ext.P9. The petitioner claims his title as per LA No.141/68.

This Court is of the view, the fourth respondent shall identify the property claimed by the petitioner as per LA No.141/68. This shall be done within three months after hearing the petitioner. The petitioner is also free to pay basic tax depend upon the outcome of the decision of the third respondent. Till a decision is taken in the matter, *status quo* in respect of the land shall be maintained. The petitioner shall produce a copy of this judgment before the Tahsildar.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE