

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

WP(C).No. 22717 of 2015 (L)

PETITIONER :

**G.P. MAHESWARI
AGED 65, W/O.DR.M.N.DOMAN, RAJESWARI HOUSE,
KALPAKA LANE, THOTTAKATTUKARA P.O., ALUVA.**

**BY ADVS.SRI.K.S.RAJEEV (ALUVA)
SMT.DHANYA MOHAN**

RESPONDENT(S) :

- 1. ADDITIONAL TAHASILDAR
TALUK OFFICE, THIRUVANANTHAPURAM,
PIN – 695 001.**
- 2. VILLAGE OFFICER
THYCAUDU VILLAGE OFFICE, THIRUVANANTHAPURAM
PIN – 695 001.**
- 3. DISTRICT COLLECTOR
THIRUVANANTHAPURAM, PIN - 695001.**

R1 TO R3 BY GOVT. PLEADER SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 22717 of 2015 (L)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT-P1: TRUE COPY OF THE ORDER SUB-COLLECTOR,
THIRUVANANTHAPURAM DATED 7.3.15.**

**EXHIBIT-P2: TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE VILLAGE
OFFICER, THYCAUDU DATED 20.5.15.**

**EXHIBIT-P3: TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE
TAHASILDAR DATED 23.5.15.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.22717 of 2015

Dated this the 2nd day of September, 2015.

J U D G M E N T

The petitioner was the originally was the owner and in possession of 40.5 cents of property in Survey No.341/B, 342 and 343/1-3 of Thycaudu village. According to the petitioner, she entered into in a joint venture with a builder in respect of 36.452 cents of land. Thereafter, on completion of the apartment in the above land, the entire ownership of the land covered by the apartment was divested from the petitioner. The petitioner amids that she is the absolute owner and in possession of the remaining extent of land.

2. The petitioner has approached Sub Collector for correcting the re-survey records. The Sub Collector as per Ext.P1 order, had directed the Tahasildar to take appropriate action, after showing the ownership of the flat owners in respect of the land covered by the apartment. It appears that in Thandapperu Register, the entire property

has been shown in the name of apartment owners along with the petitioner. In view of the facts of the case, this Court is of the view that, the Tahasildar shall verify the property which was assigned by the petitioner to different allottees of the apartment. Any property left over after such assignment in favour of the allottees of the apartment, shall necessarily be effected in Thandapperu Register and in the Transfer Register, exclusively in the name of the petitioner. Necessary action shall be taken by the Tahasildar within a period of 2 months from today.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge