

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 23190 of 2015 (W)

PETITIONER(S) :

**VIDYADHARAN,
S/O.VELUTHAKUNJU, POCHAYIL KIZHAKKATHIL,
VADAKKUMTHALA MEKU, VADAKKUMTHALA P.O.,
KARUNAGAPPALLY, KOLLAM.**

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT, CMPGRC,
SECRETARIAT, THIRUVANANTHAPURAM-695 001,
(CHIEF MINISTERS PUBLIC GRIVANCE REDRESSAL CELL)**
- 2. TAHSILDAR,
TALUK OFFICE, KARUNAGAPPALLY, KOLLAM- 690 573.**
- 3. ADDITIONAL TAHSILDAR,
TALUK OFFICE, KARUNAGAPPALLY, KOLLAM- 690 573.**
- 4. VILLAGE OFFICER,
VILLAGE OFFICE, VADAKKUMTHALA, KARUNAGAPPALLY,
KOLLAM- 690 536.**
- 5. REMANAN,
POCHAYIL VEEDU, VADAKKUMTHALA P.O, KARUNAGAPPALLY,
KOLLAM- 690 573.**

R1 TO R4 BY SR.GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 23190 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE SETTLEMENT DEED NO. 5213
DATED 23/12/1985.**

**EXHIBIT P2: TRUE COPY OF THE REPORT SUBMITTED BY
THE VADAKKUMTHALA VILLAGE OFFICER WITH THE BASIC TAX
REGISTER EXTRACT.**

EXHIBIT P3: TRUE COPY OF THE REPRESENTATION DATED 26-05-2015.

**EXHIBIT P4: TRUE COPY OF THE LETTER ISSUED BY 3RD RESPONDENT TO
THE PETITIONER DATED 04/07/2015.**

**EXHIBIT P5: TRUE COPY OF THE JUDGMENT IN W.P(C).NO.12820 OF 2015
BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM
DATED 19/06/2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J

W.P(C) No.23190 of 2015

Dated this the 07th day of August, 2015

J U D G M E N T

The petitioner is aggrieved with the mutation not being effected as per the Transfer of Registry Rules, 1966 and thus being disabled from paying the land tax for the property covered under Ext.P1 title deed. The learned Government Pleader, on instruction from the 3rd respondent submits that mutation was not effected only because there was a case pending before this Court filed by the 5th respondent which has subsequently been withdrawn. In such circumstance, the mutation shall be effected in accordance with the Transfer of Registry Rules and land tax accepted, since the mutation nor the acceptance of land tax would not by itself confer any better

title than that conferred by a valid conveyance. Any objection by the 5th respondent could be agitated in the appropriate forum and in such circumstance, no notice is issued to the 5th respondent herein.

Writ petition is disposed of with the above direction.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge