

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

WP(C).No. 23384 of 2015 (W)

PETITIONERS :

- 1. ABDUL MAJEED, AGE-43
S/O.AHAMMED, ILAPOYIL HOUSE, P.O.UNNIKULAM
(VIA) THAMARASSERY, KOZHIKODE DISTRICT.**
- 2. RIYAS I.P., AGE 24
S/O.ABDUL MAJEED, ILAPOYIL HOUSE, P.O.UNNIKULAM
(VIA) THAMARASSERY, KOZHIKODE DISTRICT.**

BY ADV. DR.GEORGE ABRAHAM

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT, TRIVANDRUM-695 001.**
- 2. DISTRICT COLLECTOR
KOZHIKODE-673 001.**
- 3. TAHSILDAR
THAMARASSERY TALUK,
KOZHIKODE DISTRICT-673 573.**
- 4. VILLAGE OFFICER
KANTHALAKAD VILLAGE, KANTHALAKAD,
(VIA THAMARASSERY
KOZHIKODE DISTRICT-673 573.**
- 5. VILLAGE OFFICER
UNNIKULAM VILLAGE, UNNIKULAM (VIA)
THAMARASSERY, KOZHIKODE DISTRICT-673 573.**

R1 TO R5 BY SPL. GOVT. PLEADER SMT. SUSHEELA R. BHATT

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 23384 of 2015 (W)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1. TRUE COPY OF THE TITLE DEED IN FAVOUR OF THE 1ST PETITIONER.**
- EXHIBIT P2. TRUE COPY OF THE TITLE DEED IN FAVOUR OF THE 2ND PETITIONER.**
- EXHIBIT P3. TRUE COPY OF THE LAND TAX RECEIPT PAID BY THE 2ND PETITIONER DATED 29.04.2015.**
- EXHIBIT P4. TRUE COPY OF THE POSSESSION CERTIFICATE DATED 29.04.2015 ISSUED BY THE 5TH RESPONDENT.**
- EXHIBIT P5. TRUE COPY OF THE COMMUNICATION ISSUED BY THE LAND REVENUE COMMISSIONER DATED 01.03.2012.**
- EXHIBIT P6. TRUE COPY OF THE COMMUNICATION ISSUED BY THE DISTRICT COLLECTOR DATED 09.10.2014.**
- EXHIBIT P7. TRUE COPY OF THE COMMUNICATION ISSUED BY THE CHAIRMAN, TALUK LAND BOARD, DATED 16.09.2014.**
- EXHIBIT P8. TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.34777/2011.**
- EXHIBIT P9. TRUE COPY OF THE JUDGMENT IN W.P.(C)8831/2015.**
- EXHIBIT P10. TRUE COPY OF THE GO(RT)NO.147/2015/REVENUE DATED 17.04.2015.**
- EXHIBIT P11. TRUE COPY OF THE ORDER ISSUED BY THE DISTRICT COLLECTOR DATED 30.04.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.23384/2015**

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Dated this the 26th Day of November, 2015

J U D G M E N T

The petitioners' land appears to have been included in the exempted land under the Kerala Land Reforms Act. It is submitted by them that there is a building and they require possession certificate for the purpose of obtaining electric connection.

2. This Court is of the view that possession certificate can be issued to the petitioners for any existing building. However, this will be subject to any proceedings under the Kerala Land Reforms Act for any illegal conversion of exempted land.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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