

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

WP(C).No. 33834 of 2006 (C)

PETITIONER :

**SUMATHI, W/O. THANKAPPAN,
AGED 53 YEARS, THERISIL HOUSE,
MARADU P.O.,TRIPUNITHURA**

BY ADV. SRI.BIJU ABRAHAM

RESPONDENTS :

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY, MINISTRY OF REVENUE
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE TAHSILDAR, KANAYANNUR TALUK.**
- 3. THE VILLAGE OFFICER,
THEKKUMBHAGAM VILLAGE, TRIPUNITHURA.**
- 4. BABU, S/O. LATE BHASKARAN,
AGED ABOUT 46, PADANNAYIL, PUTHYAKAVU,
THEKKUMBHAGAM P.O., TRIPUNITHURA.**
- 5. AMBILI BABU, W/O. BABU,
AGED ABOUT 41, PADANNAYIL, PUTHYAKAVU,
THEKKUMBHAGAM P.O., TRIPUNITHURA.**

**R1 TO R3 BY GOVERNMENT PLEADER SRI. GIKKU JACOB
R4 & R5 BY ADV. SRI.C.PRAVIKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09-09-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF WILL DT 23RD MAKARAM, 1123 M.E. REGISTERED AS 19/1123 OF SRO, TRIPUNITHURA.
- P2: COPY OF SETTLEMENT DEED NO. 1614/2000 OF SRO, THRI PUNITHUR DT 12/6/2000.
- P3: COPY OF PETITION DT 3/8/2002.
- P4: COPY OF ORDE DT 16/6/2005.

RESPONDENT'S EXHIBITS :

- EXT.R4(a): COPY OF THE SALE DEED NO. 2910/77
- EXT.R4(b): COPY OF THE SALE DEED NO. 169/79.
- EXT.R4(c): COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE 3RD RESPONDENT DT 7/8/1992.
- EXT.R4(d): COPY OF THE CERTIFICATE ISSUED BY THE R3 DT 28/4/2000.
- EXT.R4(e): COPY OF THE ENCUMBRANCE CERTIFICATE ISSUED FROM THE SUB REGISTRY OFFICE DT 21/6/2006.
- EXT.R4(f): COPY OF THE RECEIPT FOR PAYMENT OF TRANSFER OF TRANDAPER.
- EXT.R4(g): COPY OF THE RECEIPT FOR PAYMENT OF LAND TAX.
- EXT.R4(h): COPY OF THE RECEIPT FOR PAYMENT OF LAND TAX.
- EXT.R4(i): COPY OF THE RECEIPT FOR PAYMENT OF LAND TAX.
- EXT.R4(j): COPY OF THE RECEIPT FOR PAYMENT OF LAND TAX.
- EXT.R4(k): COPY OF THE RECEIPT FOR PAYMENT OF LAND TAX

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.33834 of 2006

Dated this the 9th day of September, 2015

J U D G M E N T

This matter is relating to the effecting of mutation. In fact the relief sought for in this writ petition, reveals that there is a civil dispute.

2. It is submitted by the learned Counsel for the 4th respondent that that property has been sold in favour of several persons and mutation has been effected in favour of those persons.

3. In that view of the matter, this writ petition is disposed with liberty to the petitioner to challenge the same before the appropriate civil court.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/