

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C) .No. 23948 of 2015 (P)

PETITIONER(S) :

PILASSERY ABDUSAMAD,
AGED 49 YEARS,
S/O.IMBICHIKKOYA THANGAL, PILASSERY HOUSE,
TANALUR CHUNGAM, TANALUR P.O., TIRUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.C.M.MOHAMMED IQUABAL.

RESPONDENT(S) :

1. THE REVENUE DIVISIONAL OFFICER,
TIRUR, POST TIRUR,
MALAPPURAM DISTRICT, PIN - 676 101.
2. THE VILLAGE OFFICER,
TANALUR, POST TANALUR,
MALAPPURAM DISTRICT, PIN - 676 307.
3. POKLASSERY KUNJEEDU HAJI,
TANALUR CHUNGAM, TANALUR P.O., TIRUR TALUK,
MALAPPURAM DISTRICT, PIN - 676 307.

BY GOVERNMENT PLEADER SRI.JIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P-1: THE TRUE COPY OF THE BUILDING TAX RECEIPT ISSUED BY THE TANALUR GRAMA PANCHAYATH DATED 14.8.2001.
- EXT.P-2: THE TRUE COPY OF THE LAND TAX RECEIPT ISSUED BY TANALUR VILLAGE OFFICE DATED 4.3.2015.
- EXT.P-3: THE TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE SUB COLLECTOR, TIRUR, DATED 4.3.2015.
- EXT.P-4: THE TRUE COPY OF THE REPORT SUBMITTED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT DATED 30.3.2015.
- EXT.P-5 THE TRUE COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT DATED 27.5.2015.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No.23948 of 2015

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Dated this the 14th day of October, 2015

J U D G M E N T

The petitioner approached the Sub Collector, Tirur alleging obstruction of way.

2. An enquiry has been conducted and found that the petitioner has no way to reach his house. However it is noted that the petitioner is using a way belongs to a private person and the first respondent cannot consider the application in view of the fact that the dispute in question is relating to a private person.

3. This Court is of the view that there is no infirmity in the impugned order. The petitioner is at liberty to approach civil court to establish right of way and seek appropriate relief against the 3rd respondent for obstruction right of way.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE