

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

WP(C) .No. 24041 of 2015 (E)

PETITIONER(S) :

NAZEEM,
AGED 44 YEARS, S/O.HAMEED KUNJU,
THERIYIL VEETIL, KATTIKADAVU P.O.,
KULASEKHARAPURAM PANCHAYATH,
ADINADU SOUTH, KARUNAGAPPILLY,
KOLLAM DISTRICT.

BY ADVS.SRI.S.SANAL KUMAR
SRI.M.T.SURESHKUMAR
SMT.T.J.SEEMA
SMT.BHAVANA VELAYUDHAN
SMT.SMITHA PHILIPOSE

RESPONDENT(S) :

1. THE VILLAGE OFFICER,
AMBALPUZHA SOUTH VILLAGE, ALAPPUZHA DISTRICT-688 561.
2. THE TAHSILDAR,
AMBALAPUZHA TALUK, ALAPPUZHA DISTRICT - 688 561.
3. THE DISTRICT COLLECTOR,
ALAPPUZHA - 688 001.

BY GOVERNMENT PLEADER SMT. C.K.SHERIN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT.P-1: TRUE COPY OF THE SALE DEED NO.1296/2015 DATED 28/05/2015.

EXT.P-2: TRUE COPY OF THE LAND TAX RECEIPT DATED 06/06/2015.

EXT.P-3: TRUE COPY OF THE ORDER DATED 09/06/2015 ISSUED BY THE CONSUMER DISPUTES REDRESSAL FORUM, ALAPPUZHA.

EXT.P-4: TRUE COPY OF THE ENCUMBRANCE CERTIFICATE DATED 19/06/2015 RELATING TO THE PERIOD 01/05/2015 TO 28/05/2015.

EXT.P-5: TRUE COPY OF THE ENCUMBRANCE CERTIFICATE DATED 19/06/2015 RELATING TO THE PERIOD 28/05/2015 TO 17/06/2015.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

=====

W.P.(C).No.24041 of 2015

=====

Dated this the 8th day of September, 2015

J U D G M E N T

The petitioner approached this Court on account of delay in effecting mutation in respect of the property covered by Ext.P1.

2. In this matter, a counter statement has been filed on behalf the 1st respondent. It is stated that there are so many attachment with respect of the above property based on various orders of competent court and consumer forum.

3. Effecting transfer of registry is for the fiscal purposes. It will not affect the right of creditor to proceed against the property. Therefore subject to any attachment, the transfer of registry shall be effected in favour of the petitioner based on Ext.P1. It is made clear that this will be subject to right of the others to proceed against the above property.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

