

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 24190 of 2015 (W)

PETITIONER(S):

**JOSE, AGED 65 YEARS,
S/O.PEREPARAMBIL VARGHESE
KARIKODE EDAVETTY KARAYIL, THODUPUZHA TALUK,
IDUKKI DISTRICT.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REP. BY THE SECRETARY TO THE GOVT.
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM. 695001.**
- 2. THE DISTRICT COLLECTOR,
COLLECTORATE, IDUKKI. 685603.**
- 3. THE TALUK TAHSILDAR,
THODUPUZHA TALUK OFFICE, THODUPUZHA P.O.,
IDUKKI DISTRICT. 685603.**
- 4. THE VILLAGE OFFICER,
KARIKODE VILLAGE OFFICE, THODUPUZHA. 685603.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT.P1- A TRUE COPY OF THE DOCUMENT BEARING NO.1566 OF 72 DATED
15.6.1972 OF THE KARIKODE S R O.**
- EXHIBIT.P2- A TRUE COPY OF THE PATTAYAM ISSUED BY THE THIRD
RESPONDENT DATED 20.12.64.**
- EXHIBIT.P3- A TRUE COPY OF THE TAX RECEIPT ISSUED IN THE NAME OF THE
PETITIONER DATED 28.1.1983.**
- EXHIBIT.P4- A TRUE COPY OF THE TAX RECEIPT ISSUED TO THE PETITIONER
DATED 20.3.1982.**
- EXHIBIT.P5- A TRUE COPY THE REQUEST OF THE MOTHER OF THE PETITIONER
DATED 19.8.2013**
- EXHIBIT.P6- A TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER
DATED 24.7.2015.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 24190 of 2015

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Dated this the 19th day of October, 2015

J U D G M E N T

The petitioner claims that he is the owner in possession of landed property comprised in Sy.No. 1446/1 of the Karikode Village. The petitioner refers to the title deed as per Ext.P1 and also Ext.P2 pattayam.

2. The petitioner approached this Court apprehending dispossession and also on account of the non acceptance of the basic tax from the petitioner. According to the petitioner this is a land owned by him and revenue official cannot interfere with rights in respect of the above land.

3. It appears that there is some issues regarding the identity of the property. Therefore there shall be a direction to the Tahsildar/ 3rd respondent, to identify the property belongs to the petitioner as covered by patta. Needful shall be done within three months. Based on the identification, it is open for the revenue official to accept basic tax from the petitioner. Till the property is

identified as above, status quo shall be maintained. It is made clear that if the petitioner is in occupation or in possession of any Government land the petitioner can be dispossessed or evicted only in accordance with the Land Conservancy Act.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE