

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(C).No. 28497 of 2012 (J)

PETITIONER(S):

RAHOBOTH GIRLS ORPHANAGE TRUST,
NELLIKUNNU, THRISSUR-680 005,
REPRESENTED BY ITS PRESIDENT.

BY ADVS.SRI.P.B.KRISHNAN
SMT.GEETHA P.MENON
SRI.N.AJITH
SRI.P.M.NEELAKANDAN
SRI.P.B.SUBRAMANYAN.

RESPONDENT(S):

1. THE DISTRICT COLLECTOR,
CIVIL STATION, THRISSUR-680 001.
2. THE TAHSILDAR,
TALUK OFFICE, THRISSUR-680 001.
3. THE VILLAGE OFFICER
NADATHARA VILLAGE, THRISSUR-680 751.
4. STEWARDS COMPANY LTD.
124 WELLS ROAD, BATH, ENGLAND
REPRESENTED BY THOMAS RAJAN
C/O.STEWARDS ASSOCIATION IN INDIA
7(4) JOHN AMSTRONG ROAD, RICHARD TOWN
BANGALORE-560 005.

R4 BY ADV. SRI.K.MOHANAKANNAN
R4 BY ADV. SMT.A.R.PRAVITHA
BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) EXHIBITS :

- EXHIBIT P1: TRUE COPY OF THE LETTER ISSUED BY THE COMMISSIONER OF INCOME TAX, COCHIN DATED 08/03/1974.
- EXHIBIT P2: TRUE COPY OF THE LETTER FROM GOVERNMENT OF INDIA DATED 23/04/1985.
- EXHIBIT P3: TRUE COPY OF THE CERTIFICATE OF RECOGNITION DATED 30/10/2001.
- EXHIBIT P4: TRUE COPY OF THE BASIC TAX RECEIPT DT.18-10-2000.
- EXHIBIT P5: TRUE COPY OF THE BASIC TAX RECEIPT DT.17-10-2002.
- EXHIBIT P6: TRUE COPY OF THE BASIC TAX RECEIPT DT.14-10-2004
- EXHIBIT P7: TRUE COPY OF THE BASIC TAX RECEIPT DT.12-5-2005.
- EXHIBIT P8: TRUE COPY OF THE BASIC TAX RECEIPT DT.19-9-2006.
- EXHIBIT P9: TRUE COPY OF THE BASIC TAX RECEIPT DT.18-2-2008.
- EXHIBIT P10: TRUE COPY OF THE BASIC TAX RECEIPT DT.13-3-2009.
- EXHIBIT P11: TRUE COPY OF THE BASIC TAX RECEIPT DT.23-9-2011.
- EXHIBIT P12: TRUE COPY OF THE POSSESSION CERTIFICATE, DT.15-9-1995.
- EXHIBIT P13: TRUE COPY OF THE POSSESSION CERTIFICATE 18-9-1997.
- EXHIBIT P14: TRUE COPY OF THE POSSESSION CERTIFICATE DT.17-10-2002
- EXHIBIT P15: TRUE COPY OF THE POSSESSION CERTIFICATE,DT.7-3-2009
- EXHIBIT P16: TRUE COPY OF THE POSSESSION CERTIFICATE, DT.1-6-2010
- EXHIBIT P17: TRUE COPY OF THE CERTIFICATE OF OWNERSHIP CERTIFICATE ISSUED FROM THE CORPORATION OF THRISSUR.
- EXHIBIT P18: TRUE COPY OF THE CERTIFICATE OF OWNERSHIP CERTIFICATE ISSUED FROM THE CORPORATION OF THRISSUR DATED 27/05/2012.

- EXHIBIT P19: TRUE COPY OF THE REPRESENTATION BY STEWARDS COMPANY LTD. DATED 25/04/2012.
- EXHIBIT P20: TRUE COPY OF THE JUDGMENT IN WPC 18632 OF 2012 DATED 08/08/2012.
- EXHIBIT P21: TRUE COPY OF THE OBJECTION FILED BY STEWARDS COMPANY LTD. DATED OCTOBER, 2012.
- EXHIBIT P22: TRUE COPY OF THE ORDER NO.A3-0984/2012 ISSUED BY R1. DATED 11/11/2012.
- EXHIBIT P23: TRUE COPY OF THE TAX RECEIPT DATED 29/10/1986.

RESPONDENTS' EXHIBITS :

- EXHIBIT R4 (A) : TRUE COPY OF THE POWER OF ATTORNEY DATED 14/06/2012.
- EXHIBIT R4 (B) : TRUE COPY OF THE COMMUNICATIONS DATED 23/03/1993, 30/07/2007, 13/09/2011 SENT BY THE PETITIONER TO STEWARDS ASSOCIATION OF INDIA.
- EXHIBIT R4 (C) : TRUE COPY OF THE REGISTERED GIFT DEED EXECUTED BY MRS.H.L.NAGEL IN THE YEAR M.E.1091 (1915) IN FAVOUR OF STEWARDS COMPANY LTD.
- EXHIBIT R4 (D) : TRUE COPY OF THE TAX RECEIPTS DATED 28/10/61, 20/09/1975 & 20/09/1975.
- EXHIBIT R4 (E) : TRUE COPY OF THE RELEVANT PAGE OF THE BASIC TAX REGISTER OF NADATHARA VILLAGE OFFICE.
- EXHIBIT R4 (F) : TRUE COPY OF THE RELEVANT PAGE OF THE BASIC TAX REGISTER OF NADATHARA VILLAGE OFFICE.
- EXHIBIT R4 (G) : TRUE COPY OF THE RELEVANT PAGE OF THE BASIC TAX REGISTER OF NADATHARA VILLAGE OFFICE.
- EXHIBIT R4 (H) : TRUE COPY OF THE TRUST DEED DATED 13/06/1983.
- EXHIBIT R4 (I) : TRUE COPY OF THE RELEVANT PAGES OF THE THANDAPER REGISTER PERTAINING TO NO.5849 OBTAINED FROM VILLAGE OFFICE, NADATHARA.
- EXHIBIT R4 (J) : TRUE COPY OF THE JUDGMENT DATED 02/01/1999 IN OS 10/1990, DISTRICT COURT, THRISSUR.

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EXHIBIT R4 (K) : TRUE COPY OF THE CHART OF CONTRIBUTION UNTIL NOW
TOTALING ₹ 8.85 LAKHS.

EXHIBIT R4 (L) : TRUE COPY OF THE COPIES OF TWO RECEIPTS PERTAINING
TO THE FIRST AND LAST ITEM IN THE SCHEDULE DATED
30/06/2005 & 12/10/2012.

EXHIBIT R4 (M) : TRUE COPY OF THE INFORMATION GIVEN BY THE VILLAGE
OFFICER.

/TRUE COPY/

P.A.TO JUDGE

RVS.

K. VINOD CHANDRAN, J

W.P(C) No. 28497 of 2012

Dated this the 29th day of May, 2015

J U D G M E N T

Writ petition is allowed in terms of the settlement arrived at on mediation. The terms and conditions of the mediation shall form part of the judgment.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge