

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 24831 of 2015 (D)

PETITIONER:

**DR.C.SURASREEJATHAN,
S/O.CHANDRIKADHARAN, AGED 51,
KOCHUVEEDU, THAMARAKKULAM,
KOLLAM, PIN - 690 530.**

**BY ADVS.SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SRI.A.JANI(KOLLAM)**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
CIVIL STATION, KOLLAM, PIN - 691 001.**
- 2. THE DEPUTY COLLECTOR,
(LAND ACQUISITION) CIVIL STATION,
KOLLAM, PIN - 691 001.**
- 3. THE TAHSILDAR,
KOLLAM, PIN - 691 001, TALUK OFFICE,
NEAR KSRTC BUS STAND.**
- 4. THE VILLAGE OFFICER,
KOLLAM EAST VILLAGE, PIN - 691 001.**
- 5. THE EXECUTIVE ENGINEER,
INLAND NAVIGATION DEPARTMENT,
KOLLAM, PIN - 691 001.**

BY GOVERNMENT PLEADER SRI.MANOJ KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-09-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

WP(C).No. 24831 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1. TRUE COPY OF WILL NO.109/2008 OF KOLLAM SRO DATED 10.6.08.

**EXHIBIT P2. TRUE COPY OF BASIC TAX RECEIPT DATED 7.8.15 ISSUED BY
VILLAGE OFFICER, NADAMA VILLAGE.**

**EXHIBIT P3. TRUE COPY OF REPRESENTATION DATED NIL SUBMITTED BY THE
PETITIONER.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.24831 of 2015

Dated this the 11th day of September, 2015.

J U D G M E N T

The petitioner threatened with eviction from the land in possession having re-survey No.2 (Old Sy.No.8236) in Block No.185 of Kollam East village, has approached this Court.

2. The petitioner's case is that he has not received any notice. The learned Government Pleader on instruction submits that the petitioner has encroached upon a Government land and constructed a compound wall.

3. This Court is of the view that, the petitioner either in person or through any authorised representative shall appear before the Tahsildar on 28.9.2015 at 11 a.m. and on that day, necessary details shall be furnished to the petitioner by the Tahsildar. Thereafter, the petitioner shall raise his objections to the proposal within a further period of 2 weeks. Thereafter, the Tahsildar after hearing the

petitioner, appropriate decision shall be taken without any delay, at any rate within a period of one month thereafter. It is made clear that any further action shall be only after final order is passed by the Tahsildar.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge