

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C).No. 24866 of 2015 (G)

PETITIONER(S):

1. DAKSHAYANI, D/O.NARAYANAN, PALLIYALIMUTHUKATTIL MUTHUKADU,
NILAMBUR VILLAGE, NILAMBUR TALUK, MALAPPURAM DISTRICT.
2. RADHAKRISHNAN,
S/O.NARAYANAN, PALLIYALIMUTHUKATTIL MUTHUKADU
NILAMBUR VILLAGE, NILAMBUR TALUK, MALAPPURAM DISTRICT.
3. KOMALAVALLY,
D/O.NARAYANAN, PALLIYALIMUTHUKATTIL MUTHUKADU
NILAMBUR VILLAGE, NILAMBUR TALUK, MALAPPURAM DISTRICT.

(PETITIONERS 1 AND 3 ARE REPRESENTED BY THEIR POWER OF ATTORNEY
HOLDER RADHAKRISHNAN, S/O.NARAYANAN, PALLIYALIMUTHUKATTIL,
MUTHUKADU, NILAMBUR VILLAGE, NILAMBUR TALUK, MALAPPURAM
DISTRICT, THE SECOND PETITIONER HEREIN.)

BY ADVS.SRI.K.M.SATHYANATHA MENON
SRI.A.SANTHOSHKUMAR
SMT.KAVERY S THAMPI
SMT.ANJANA KANNATH

RESPONDENT(S):

1. REVENUE DIVISIONAL OFFICER/SUB COLLECTOR, OFFICE OF THE SUB
COLLECTOR, PERINTHALMANNA, MALAPPURAM DISTRICT
PIN - 679 322.
2. MUTHUKAD AYYAPPA BAJANA MADOM COMMITTEE, MUTHUKAD,
RAMANKUTHU P.O., NILAMBUR, MALAPPURAM DISTRICT
PIN - 679 330 REPRESENTED BY ITS SECRETARY.

R BY GOVERNMENT PLEADER SRI.P.P.PADMALAYAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THE REPORT DATED 23/05/2013 OF THE 4TH RESPONDENT.

EXT.P2: TRUE COPY OF THE REPORT DATED 17/07/2013 OF THE HEAD SURVEYOR,
NILAMBUR TALUK.

EXT.P3: TRUE COPY OF THE ORDER OF THE ADDITIONAL TAHSILDAR, NILAMBUR
TALUK.

EXT.P4: TRUE COPY OF THE BASIC TAX REGISTER ISSUED BY THE ADDITIONAL
TAHSILDAR, NILAMBUR.

EXT.P5: TRUE COPY OF THE A REGISTER MAINTAINED BY THE VILLAGE OFFICER,
NILAMBUR.

EXT.P6: TRUE COPY OF THE RECEIPT ISSUED FROM THE OFFICE OF THE VILLAGE
OFFICE, NILAMBUR.

EXT.P7: TRUE COPY OF THE JUDGMENT DATED 21/10/2014 IN WPC.NO.6329 OF
2014.

EXT.P8: TRUE COPY OF THE APPEAL SUBMITTED BY THE 2ND RESPONDENT BEFORE
THE 1ST RESPONDENT.

EXT.P9: TRUE COPY OF THE APPLICATION FOR IMPLEADMENT SUBMITTED BY THE
PETITIONERS BEFORE THE 1ST RESPONDENT DATED 20/11/2014.

EXT.P10: TRUE COPY OF THE STATEMENT SUBMITTED BY THE PETITIONERS BEFORE
THE 1ST RESPONDENT DATED 21/05/2015.

EXT.P11: TRUE COPY OF THE ORDER DATED 03/06/2015 ISSUED BY THE 1ST
RESPONDENT.

EXT.P12: TRUE COPY OF THE MEMORANDUM OF WPC.NO.2002/2015 ALONG WITH
EXHIBITS.

EXT.P12(A): TRUE COPY OF THE INTERIM ORDER DATED 22/01/2015 IN
WPC.NO.2002/2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.24866 of 2015

Dated this the 6th day of October, 2015

J U D G M E N T

The order of stay in W.P.(C) No.2002/2015 pertains to the demolition of an alleged unauthorised structure. That has no relevance as regards the payment of basic tax by the petitioners. Ext.P11 order of the first respondent holding up the proceedings in view of the order of stay in W.P.(C) No.2002/2015 is quashed. The first respondent is directed to consider Ext.P9 application for impleadment and proceed further in the matter.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj/06.10.15