

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

WP(C).No. 26203 of 2015 (A)

PETITIONER :

**E.K. VASANTHAKUMARI, AGED 70 YEARS,
D/O.RAMUNNI, NISHA NIVAS, CHETTAMKUNNU,
P.O.THALASSERY-670 101, KANNUR DISTRICT.**

**BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.**

RESPONDENT(S):

- 1. THE SUB REGISTRAR,
SUB REGISTRAR'S OFFICE, THALASSERY,
KANNUR DISTRICT.PIN-670 101.**
- 2. THE TAHSILDAR,
REVENUE RECOVERY, THALASSERY,
KANNUR DISTRICT.PIN-670 101.**
- 3. THE TAHSILDAR,
THALASSERY TALUK, THALASSERY,
KANNUR DISTRICT. PIN-670 101.**
- 4. THE VILLAGE OFFICER,
THALASSERY VILLAGE, KANNUR DISTRICT.PIN-670 101.**

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 26203 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE LEGAL HEIRSHIP CERTIFICATE DATED 6.6.2015 ISSUED BY THE 3RD RESPONDENT.**
- P2- TRUE COPY OF THE ORDER DATED 16.9.1996 OF WELFARE FUND INSPECTOR, KANNUR.**
- P3- TRUE COPY OF THE REVENUE RECOVERY NOTICE DATED 2.1.1997 ISSUED BY THE 2ND RESPONDENT.**
- P4- TRUE COPY OF THE INFORMATION SUPPLIED BY THE 2ND RESPONDENT DATED 26.7.2012.**
- P5- TRUE COPY OF THE LAND TAX RECEIPT DATED 17.1.2015 ISSUED BY THE 4TH RESPONDENT.**
- P6- TRUE COPY OF THE POSSESSION CERTIFICATE DATED 6.8.2015 ISSUED BY THE 4TH RESPONDENT.**
- P7- TRUE CVOPY OF THE ENCUMBRANCE CERTIFICATE FOR THE PERIOD 1/1/1987 TO 18.7.2013.**
- P8- TRUE COPY OF THE ENCUMBRANCE CERTIFICATES UPTO 23.7.2015.**
- P9- TRUE COPY OF THE DRAFT SALE DEEDS.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C).No. 26203 of 2015

Dated this the 1st day of September, 2015

J U D G M E N T

The petitioner, aggrieved by denial of registration of sale deed has approached this Court.

2. It appears that revenue recovery proceedings are pending in respect of the property. The pendency of the revenue recovery proceedings against the property will not stand in the way of the registering authority to register the document. If at all they are entitled for proceeding against the property, they are to free to do so notwithstanding the registration of the documents. The right of the State would not be lost, merely because the property is registered. This will be subject to the right of the State to proceed against the property under the Revenue Recovery Act.

2. Therefore, there shall be a direction to register the documents of the petitioner subject to right of the State to proceed against the property under Revenue Recovery Act.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/