

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. 26351 of 2015 (T)

PETITIONER(S):

- 1. RONEESH.K.P, S/O.ABOOBACKER,
AGED 36 YEARS, KATTAYATTU PARAMBIL,
OTTUPARA HOUSE, PANNIANKARA AMSOM,
KOZHIKODE.**
- 2. MOIDEEN KOYA, S/O.ASSAINAR,
AGED 35 YEARS, OTTUPARA HOUSE,
PANNIANKARA AMSOM, KOZHIKODE.**

**BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN
SMT.UMMUL FIDA**

RESPONDENT(S):

- 1. VILLAGE OFICER, VILLAGE OFFICE,
MAVOOR, KOZHIKODE DISTRICT-673661.**
- 2. TAHSILDAR, TALUK OFFICE,
KOZHIKODE-673020.**
- 3. DISTRICT COLLECTOR, KOZHIKODE,
CIVIL STATION, KOZHIKODE-673020.**

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:**

mbr/

WP(C).No. 26351 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 : A TRUE COPY OF THE SALE DEED NO.1692 OF 2010 OF MAVOOR SUB REGISTRAR OFFICE EXECUTED IN FAVOUR OF PETITIONERS.
- P2 : TRUE COPIES OF THE TAX RECEIPTS ISSUED IN THE NAME OF SRI.PAPPUTTY DT.11-1-1980 AND 24-11-1980.
- P3 : TRUE COPIES OF THE TAX RECEIPTS DT.29-8-1998, 19-12-2003, 18-8-2006, 29-12-2008.
- P4 : A TRUE COPY OF THE REQUEST BEARING B3 49799/2013 DT.16-12-2013 SUBMITTED BY 2ND RESPONDENT BEFORE 3RD RESPONDENT.
- P5 : A TRUE COPY OF THE REPORT NO.399/2014 OF THE VILLAGE OFFICER, MAVOOR DT.29-12-2014 BASED ON APPLICATION DT.13-12-2014 SUBMITTED BY THE PETITIONERS FOR RECEIVING BASIC TAX IN RESPECT OF PROPERTY IN RE-SURVEY NO.26/IA OF MAVOOR VILLAGE.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A. MUHAMED MUSTAQUE, J.

.....
W.P.(C) No.26351 of 2015 (T)

.....
Dated this the 1st day of September, 2015

JUDGMENT

The petitioners are the absolute owners in possession of 39.9444 Ares of land covered by Ext.P1 sale deed. The petitioners sought for mutation and on approaching the authority for payment of tax, the same was declined on the ground that there is a dispute relating to another property in the same survey number with some other property owners, hence this writ petition.

2. It appears that Tahsildar has initiated an enquiry in this matter.

As per Ext.P5 the Village Officer/1st respondent placed the file before the 2nd respondent for taking a decision on the question of acceptance of basic tax.

3. Considering the facts and circumstances of the case, the writ petition is disposed of, with a direction to the Tahsildar/2nd respondent to conclude the proceedings based on Ext.P5, after affording an opportunity of hearing to the petitioners as well as

any other affected persons, as expeditiously as possible, within a period two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

AMV/01/09/