

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 26566 of 2015 (U)

PETITIONER :

**RAJITHA, AGED 59 YEARS,
W/O.SURESH, 7/409, RAJITHA NIVAS,
UPPILAM KUNNU, P.O., VADAVANNUR, POKKUNNI,
PALAKKAD REPRESENTED BY POWER OF ATTORNEY
RAJAN KITTA, S/O.LATE KITTU, DOOR NO.7/409,
RAJITHA NIVAS, UPPILAM KUNNU, P.O VADAVANNUR,
POKKUNNI, PALAKKAD.**

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS :

- 1. THE TAHSILDAR, CHITTUR,
TALUK OFFICE, CHITTUR PALAKKAD - 678 101.**
- 2. THE VILLAGE OFFICER,
PUDUNAGARAM VILLAGE, PUDUNAGARAM,
PALAKKAD DISTRICT - 678 503.**
- 3. THE DISTRICT COLLECTOR
PALAKKAD - 678 001.**

R1 TO R3 BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 26566 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: COPY OF THE SALE DEED NUMBER 65/2010 OF THE SRO
KODUVAYOOR.**

**EXHIBIT P2: COPY OF THE REGISTERED SALE DEED 3598/11 OF THE SRO
KODUVAYOOR.**

**EXHIBIT P3: COPY OF THE POSSESSION CERTIFICATE DATED JULY 28, 2010
ISSUED BY THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S.TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P(C).No. 26566 of 2015

Dated this the 15th October, 2015

JUDGMENT

The petitioner has approached this Court on account of non acceptance of land tax in respect of the property covered by Exhibits P1 and P2 as also non issuance of possession certificate to the petitioner.

2. The learned Government Pleader, on instructions, would submit that civil suits are pending in respect of the property in question.

In view of the above, this Court is of the view that notwithstanding pendency of the civil cases, the basic tax shall be accepted by the respondents, if otherwise the petitioner is entitled to pay the tax. If the petitioner is in possession of the property, after verifying, the possession certificate shall also be issued to the petitioner.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs15/10/15