

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 26875 of 2015 (H)

PETITIONERS:-:

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1. SMT.KORAPALU, AGED 70 YEARS,
W/O.CHOMA (LATE), MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.
 2. VASANTHA, AGED 52 YEARS,
D/O.CHOMA, MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.
 3. SEETHAMMA, AGED 42 YEARS,
D/O.CHOMA, MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.
 4. BHAGEE, AGED 38 YEARS,
W/O.GOPALA, MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.
 5. SUNIL, AGED 27 YEARS,
S/O.GOPALA, MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.
 6. SUNITHA, AGED 27 YEARS,
D/O.GOPALA, MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.
 7. ANIL, AGED 19 YEARS,
S/O.GOPALA, MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.
 8. ANITHA, AGED 18 YEARS,
D/O.GOPALA, MANDALIKKAD, NEKRAJE VILLAGE,
KASARAGOD DISTRICT.

BY ADVS.SRI.P.HARIDAS
SRI.P.C.SHIJIN

RESPONDENTS:-:

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1. STATE OF KERALA
REPRESENTED BY SECRETARY, DEPARTMENT OF REVENUE,
THIRUVANANTHAPURAM, PIN - 695 001.

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- 2. DISTRICT COLLECTOR
KASARAGOD, COLLECTORATE, KASARAGODE - 671 121.**
- 3. TAHSILDAR
KASARAGOD TALUK, TALUK OFFICE, KASARAGOD - 671 121.**
- 4. VILLAGE OFFICER
NEKRAJE VILLAGE, KASARAGOD - 671 121.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

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APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. A TRUE COPY OF THE PROCEEDING OF THE DEPUTY TAHSILDAR,
HEADQUARTERS, KASARAGOD 11.09.1954 BY PROCEEDINGS NO.DR
602/62.**

EXHIBIT P2. A TRUE COPY OF THE DEATH CERTIFICATE DATED 22.04.2002.

EXHIBIT P3. A TRUE COPY OF THE REPRESENTATION DATED 08.06.2015.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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Dated this the 21st day of December, 2015

J U D G M E N T

The petitioners claim that they are the legal heirs of late 'Choma'. The petitioners would submit that by virtue of Ext.P1 land assignment the property was ordered to be assigned to 'Choma' and on his death the petitioners are entitled for purchase certificate. Therefore the purchase certificate has to be issued and further proceedings has to be concluded based on Ext.P1.

2. The learned Government Pleader on instructions submits that 'Choma' referred in Ext.P1 is not 'Choma' claimed by the petitioners. He is totally a different person.

3. This Court is of the view that the Tahsildar shall conduct necessary enquiry after hearing the petitioners and claimant of other 'Choma' and take appropriate decision. Needful shall be done within two months from the date of receipt of the copy of this judgment.

The judgment is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

