

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

WP(C).No. 26968 of 2015 (U)

PETITIONER(S):

**RATHI A., AGED 35 YEARS,
W/O.MADHAVAN, 4/269, CHELAKODE HOUSE,
PUDUPPARIYARAM POST, PALAKKAD -678 733.**

**BY ADVS.SRI.LAL K.JOSEPH,
SRI.A.A.ZIYAD RAHMAN,
SRI.V.S.SHIRAZ BAVA,
SRI.JOSEPH KURIAN VALLAMATTAM,
SRI.K.H.ANSAR.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE, SECRETARIAT,
THIRUVANANTHAPURAM, PIN- 695 001.**
- 2. THE TAHSILDAR, OTTAPALAM TALUK,
PALAKKAD DISTRICT, PIN- 678 733.**
- 3. THE VILLAGE OFFICER,
LAKKIDI-PERUR II VILLAGE OFFICE,
OTTAPPALAM TALUK, PALAKKAD DISTRICT, PIN- 678 014.**

BY GOVT. PLEADER SRI.BIJU MEENATTOOR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT-P1: TRUE COPY OF THE SALE CERTIFICATE NO.1625/15 DATED 14/05/2015
OF SUB REGISTRAR OFFICE, OTTAPPALAM.**

**EXHIBIT-P2: TRUE COPY OF THE COMMUNICATION DATED 24/09/2015 REVEALING
THE DELIVERY OF THE DOCUMENTS.**

**EXHIBIT-P3: TRUE COPY OF THE ENCUMBRANCE CERTIFICATE NO.79/2004
DATED 05.01.2004.**

**EXHIBIT-P3(A): TRUE COPY OF THE ENCUMBRANCE CERTIFICATE NO.6678/14
DATED 19.09.2014.**

EXHIBIT-P4: TRUE COPY OF THE APPLICATION DATED 15/06/2015.

**EXHIBIT-P4(A): TRUE COPY OF THE FORM NO.I TO EFFECT THE MUTATION
DATED 14.05.2015.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No.26968 of 2015

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Dated this the 8th day of September, 2015

J U D G M E N T

The petitioner aggrieved by an action refusing to effect mutation in respect of the property covered by Ext.P1 has approached this Court. The petitioner's case is that the revenue officials refuse the mutation for the reason that there are attachment in respect of the property covered by Ext.P1.

2. The effecting mutation is for the fiscal purposes. The right of any creditor will not be lost merely because the transfer of registry is effected.

3. In that view of the matter there shall be a direction to the 2nd and 3rd respondents to effect mutation in accordance with the law in respect the property covered by Ext.P1 within a period of one month from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

