

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

WP(C).No. 27356 of 2015 (T)

PETITIONER(S):

**A.R. MARSUNA, W/O.M. MOHAMED ISMAIL,
AGED 32 YEARS, KALATHIL, GANDHINAGAR END,
POOCHIRA, PUTHUPARIYARAM, PALAKKAD.**

BY ADV. SRI.RAJESH SIVARAMANKUTTY.

RESPONDENT(S):

- 1. THE TAHSILDAR (RR), PALAKKAD,
OFFICE OF THE TAHSILDAR,
PALAKKAD-678 001.**
- 2. THE VILLAGE OFFICER,
PUTHUPARIYARAM VILLAGE OFFICE,
PALAKKAD DISTRICT-678 731.**

BY GOVT. PLEADER SRI.BIJU MEENATTOOR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 27356 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE DOCUMENT NO.1737/2000 EXECUTED IN FAVOUR
 OF THE PETITIONER.
- EXT.P2 COPY OF THE PETITION FILED BY THE PETITIONER DATED 11/08/2015
 BEFORE THE RESPONDENTS.
- EXT.P3 COPY OF THE JUDGMENT DATED 30/05/2014 IN WP(C).NO.17267/2013
 PASSED BY THIS HONOURABLE COURT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A. MUHAMED MUSTAQUE, J.

.....
W.P.(C) No. 27356 of 2015 (T)

.....
Dated this the 10th day of September, 2015

JUDGMENT

The petitioner has approached this Court aggrieved by the refusal to accept the basic tax and also the negligence in issuing the possession certificate and BTR sketch. The petitioner has filed Ext.P2 petition before the 2nd respondent, with a copy to the 1st respondent, regarding the same. The delay in considering the same made the petitioner to approach this Court by filing this writ petition for immediate intervention.

2.The learned counsel for the petitioner submits that 2nd respondent has refused to accept the basic tax for the reason that revenue recovery proceedings are pending against the petitioner in respect of her other property and that the petitioner will be satisfied, if a direction is given to the 2nd respondent to consider and pass appropriate orders on Ext.P2 within a reasonable time.

3. Heard the learned Government Pleader as well.

4. Considering the facts and circumstances of the case, there will be a direction to the 2nd respondent to receive basic tax and issue possession certificate and BTR sketch, subject to the right of the State to proceed against the property in accordance with law.

5. It is open for the respondents to make an endorsement regarding the pendency of the RR proceedings in the receipts as well as the possession certificate and BTR sketch.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

AMV/10/09/