

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 28057 of 2015 (F)

PETITIONER(S):

1. ELYAMMA JOSE, AGED 57 YEARS,
D/O.LATE KUNJIPALI, PANAPARAMBU (PALAYATTI),
ANGAMALY VILLAGE AND KARA, ALUVA TALUK.
2. MARY,
W/O.THOMAS, CHENNAKADAN, ANGAMALY VILLAGE AND KARA,
ALUVA TALUK AND KARA.
3. C.P.JOONEY,
CHERUMADATHILVEEDU, ANGAMALY PO, ANGAMALY MARKET,
ANGAMALY KARA AND VILLAGE, ALUVA TALUK,
ERNAKULAM DISTRICT.

**BY ADVS.SRI.JOHNSON MANAYANI
SRI.JEEVAN MATHEW MANAYANI**

RESPONDENT(S):

1. THE TAHSILDAR,
ALUVA TALUK, ALUVA PO, ERNAKULAM DISTRICT.
2. THE EXECUTIVE ENGINEER,
PWD, ANGAMALY, ANGAMALY PO,
ANGAMALY KARA AND VILLAGE, ALUVA TALUK,
ERNAKULAM DISTRICT.
3. THE ANGAMALY MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, MUNICIPAL BUILDINGS,
ANGAMALY PO, ERNAKULAM DISTRICT.
4. THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD, ERNAKULAM 682 020.
5. THE STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIAT,
TRIVANDRUM 695 001.

**R1,2,4,5 BY GOVERNMENT PLEADER SMT.C.K.SHERIN
R3 BY SRI.V.M.KURIAN, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE DOCUMENT OF PURCHASE OF THE PETITIONERS
PREDECESSOR BEARING NO.1740 OF 1961 OF S.R.O.ANGAMALY**
- P2- TRUE COPY OF THE AGREEMENT OF SALE WITH THE FIRST PETITIONER
WITH THE OTHER LEGAL HEIRS OF THE DECEASED PETITIONERS FATHER**
- P3- THE DOCUMENTS OF LICENCE AND ELECTRICITY BILL WITH REGARD TO
THE TENANCY OF THE SECOND PETITIONER**
- P4- THE LICENCE AND ELECTRICITY BILL WITH REGARD TO THE THIRD
PETITIONER**
- P5- TRUE COPY OF THE PETITIONER FILED BY THE FIRST PETITIONER BEFORE
THE FIRST RESPONDENT**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 28057 of 2015

Dated this the 01st day of October, 2015

JUDGMENT

The 1st petitioner claims that she is the owner in possession of the landed property in Survey No.376/5 (Old Survey). It is submitted that this was shown as a puramboke land after re-survey and after resurvey, number is assigned as 411/1.

2. This Court is of the view that the 1st respondent shall identify the property claimed by the 1st petitioner. The petitioners trace out the title by document No.1740/61 of SRO, Angamaly. Needful shall be done within a period of three months after issuing notice to the petitioners.

3. If it is found that the 1st petitioner is in occupation of the Government land, the eviction of the petitioners from the Government land, shall only in

Kerala Land Conservancy Act, after giving sufficient notice to the petitioners.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE,
JUDGE**

bpr