

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 28528 of 2015 (M)

PETITIONER(S):

**ASHOKAN, AGED 46 YEARS,
S/O.SREEDHARAN, MOONJALI, ANGAMALI KARA,
ANGAMALI VILLAGE, ERNAKULAM DISTRICT.**

BY ADV. SRI.PAUL K.VARGHESE

RESPONDENT(S):

- 1. THE SURVEY DIRECTOR,
SURVEY BHAVAN, VAZHUTHAKODE, PIN-695 014.**
- 2. THE SUPERINTENDENT,
SURVEY AND LAND RECORDS, KAKKANAD CIVIL STATION,
ERNAKULAM, PIN-682 030.**
- 3. THE DEPUTY DIRECTOR OF RE-SURVEY RE-SURVEY OFFICE
KAKKANAD, PIN-682 030.**
- 4. THE HEAD SURVEYOR AND APPROVING AUTHORITY,
REGISTRATION SUB DIVISION OFFICE, ANGAMALLY,
PIN-683 572.**
- 5. THE DISTRICT COLLECTOR,
CIVIL STATION, KAKKANAD, COCHIN-682 030.**
- 6. SHEEBA SHAJI, W/O.SHAJI, AGED 40 YEARS,
C/O.KARTHIYAYANI THANKAPPAN, MOONJALI HOUSE,
ANGAMALI.P.O, PARAKULAM ROAD, PIN-683 572.**
- 7. KARITHIYAYANI, AGED 64 YEARS,
W/O.THANKAPPAN, MOONJALI HOUSE, ANGAMALI P.O.,
PARAKKULAM ROAD, PIN-683 572.**

**R6 & R7 BY ADV. SRI.DINESH MATHEW J.MURICKEN
R BY GOVERNMENT PLEADER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
15-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P-1: A TRUE COPY OF THE SALE DEED NO.2159/91 OF ANGAMALY SRO
DATED 15/6/991**

**EXHIBIT P-2: A TRUE COPY RECTIFICATION DEED NO.992/09 OF ANGAMALY SRO
DATED 27/4/2009**

**EXHIBIT P-3: A TRUE COPY OF THE RELEVANT PAGE OF BASIC TAX RECEIPT
MAINTAINED IN THE VILLAGE OFFICE, ANGAMALY**

**EXHIBIT P-4: A TRUE COPY OF THE TAX RECEIPT ISSUED BY THE VILLAGE OFFICE
ANGAMALY TO THE PETITIONER DATED 28.1.2013**

**EXHIBIT P-5: A TRUE COPY OF THE JUDGMENT WRIT PETITION NO.13518/13
' DATED 24/7/2013**

**EXHIBIT P-6: A TRUE COPY OF THE PLAINT IN O.S.NO.638/2013 BEFORE THE
MUNSIFF COURT ALUVA FILED BY THE 6TH AND 7TH RESPONDENTS
DATED 16.12.2013**

**EXHIBIT P-7: A TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER
IN O.S NO.638/2013 BEFORE THE MUNSIFF COURT ALUVA
DATED 19.7.2014**

**EXHIBIT P-8: A TRUE COPY OF THE COMPLAINT NANIL FILED BY THE PETITIONER
BEFORE THE DIST COLLECTOR DTD.26.6.2014.**

**EXHIBIT P-9: A TRUE COPY OF THE REPLY SENT BY THE DISTRICT SURVEY
SUPERINTEND TO THE PETITIONER DATED 17/9/2014**

**EXHIBIT P-10: A TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER
BEFORE THE SURVEY DIRECTOR DATED 4/9/2014**

**EXHIBIT -P-11: A TRUE COPY OF THE ORDER NO.H1-19139/2014 ISSUED BY THE
SURVEY DIRECTOR TO THE PETITIONER DATED 22/6/2015**

RESPONDENT(S)' EXHIBITS:

**EXHIBIT R6(a): TRUE COPY OF THE SURVEY MAP PREPARED BY THE 4TH
RESPONDENT OF THE PETITIONER'S PROPERTY.**

//TRUE COPY//

P.S.TO JUDGE

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.28528/2015**

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Dated this the 15th Day of December, 2015

J U D G M E N T

The petitioner had approached the first respondent for correcting anomaly in respect of a property comprised in the resurvey No. 436/10 of Angamaly Village. His request has not been considered stating that a civil suit is pending before the Munsiff's Court, Aluva as O.S. No. 638/13.

2. This Court is of the view that any exercise of the Survey Authority will be subject to the result of the suit. Therefore, without prejudice to the right of the parties to agitate before the civil court, survey shall be completed by the first respondent within a period of three months after hearing all the parties, which will be subject to the outcome of the civil suit.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE