

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 28956 of 2015 (T)

PETITIONER(S):

**KUTTAPPAN, S/O.NEELAKANDAN (LATE), AGED 63 YEARS,
KATHIRANKUNNEL HOUSE, WEST KODIKULAM,
IDUKKI DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SMT.SMITHA BABU**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
IDUKKI, PIN - 685 602.**
- 2. THE TAHSILDAR, THODUPUZHA TALUK,
IDUKKI DISTRICT, PIN - 685 584.**
- 3. THE VILLAGE OFFICER,
KODIKULAM VILLAGE, IDUKKI DISTRICT, PIN - 685 582.**

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1: TRUE COPY OF THE RECEIPT FOR THE PAYMENT OF BASIC LAND TAX IN RESPECT OF THE PROPERTIES ISSUED BY THE 3RD RESPONDENT DATED 25.04.2014.**
- P2: TRUE COPY OF THE SITE PLAN OF THE PROPERTIES ISSUED BY THE 3RD RESPONDENT DATED 21.06.2014.**
- P3: TRUE COPY OF THE ASSIGNMENT DEED IN RESPECT OF THE PROPERTIES DATED 01.01.1981.**
- P4: TRUE COPY OF THE NOTICE ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT DATED 16.08.2014.**
- P5: TRUE COPY OF THE OBJECTIONS FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 28.08.2014.**
- P6: TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT DATED 16.09.2014 AS NO.C4-17369/13/K.DIS.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.28956 of 2015

Dated this the 19th day of October, 2015

JUDGMENT

The petitioner, aggrieved by an order of the Tahsildar to include the properties in Re-survey Nos.149/1 and 149/2 of the Kodikulam Village, has approached this Court. The petitioner claims that he has a title over several properties having Survey No.149/1 and therefore, it cannot be included in Zero Landless Scheme. As seen from the records, the petitioner is claiming right over Re-survey Nos.149/1 and 149/2 as well.

This Court is of the view that the petitioner shall produce necessary documents before the Tahsildar within three weeks from the date of receipt of a copy of this judgment to establish any title to the property in Re-Survey No.149/1. If the petitioner produces any document, the Tahsildar shall review and revise Ext.P6 order. If the petitioner fails to produce any document, the Tahsildar is free to proceed against the petitioner in accordance with law.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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