

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 29246 of 2015 (E)

PETITIONER(S) :

1. **SUNNY K.I., AGED 59 YEARS,
S/O. LATE K.C.ITTOOP, KUTTANKULAM HOUSE, ANNA VILA,
KURINJAKKAL LANE, AYYANTHOLE, THRISSUR-680 003.**
2. **JOSHY, AGED 42 YEARS, S/O. MANI,
MEMADATHIL HOUSE, KUTTANELLOOR DESOM,
OLLUR VILLAGE, NADATHARA P.O.,
THRISSUR TALUK AND DISTRICT, PIN-680 751.**
3. **REVE. FR.DAVIS PATTATH, AGED 64 YEARS,
S/O. LATE DEVASSY, PRIEST, JERUSELEM RETREAT CENTRE,
THALORE, THRISSUR DISTRICT.**

BY ADV. SMT.P.KPRIYA

RESPONDENTS:

1. **DISTRICT COLLECTOR,
THRISSUR DISTRICT-680 001.**
2. **ADDITIONAL TAHSILDAR,
THALAPPILLY TALUK, THRISSUR DISTRICT-680 001.**
3. **THE VILLAGE OFFICER,
KUNNUMKULAM VILLAGE OFFICE,
THRISSUR DISTRICT-680 001.**
4. **THE SUB REGISTRAR,
KUNNAMKULAM, THRISSUR DISTRICT-680 001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 29246 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1- THE TRUE COPY OF THE PARTITION DEED DATED 14-05-1986 NO. 1704/1986 ON THE FILES OF THE SUB REGISTRAR OFFICE, THRISSUR.
- EXHIBIT P2- THE TRUE COPY OF THE SALE DEED EXECUTED ON 23-7-2013 BETWEEN THE 1ST PETITIONER AND THE 2ND PETITIONER.
- EXHIBIT P3- THE TRUE COPY OF THE GIFT DEED EXECUTED BY THE 1ST PETITIONER IN FAVOUR OF 3RD PETITIONER ON 12-08-2013.
- EXHIBIT P4- THE TRUE COPY OF THE INTIMATION DATED 24-07-2015 ISSUED BY THE 2ND RESPONDENT TO THE 3RD RESPONDENT.
- EXHIBIT P5- THE TRUE COPY OF THE PATTa ISSUED IN FAVOUR OF THE GRANDMOTHER OF THE 1ST PETITIONER.
- EXHIBIT P6- THE TRUE COPY OF THE SALE DEED EXECUTED BETWEEN THE 1ST PETITIONER'S FATHER AND MARYAM W/O. MATHAI, CHEERAN HOUSE, KUNNAMKULAM.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 29246 of 2015

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Dated this the 28th day of September, 2015

J U D G M E N T

The petitioner approached the revenue officials to effect mutation in respect of the property covered by Ext.P1. The Additional Tahsildar refused mutation stating that assignment is the violation of the 'patta' condition.

This Court is of the view that the mutation is for the fiscal purposes. Therefore without any prejudice to initiate any action for violation of the condition of 'patta', mutation shall be effected in accordance with law 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