

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 30518 of 2015 (L)

PETITIONER :

**T.M ALIYAR,
S/O.MUHAMMED, AGED 40 YEARS, VICE PRESIDENT,
PERUMATTOM MAHALLU JAMA-ATH, MUVATTUPUZHA.**

**BY ADVS.SRI.P.K.MOHAMMED PUZHAKKARA
SRI.P.M.AFSAL MOHAMED**

RESPONDENT(S):

- 1. THE TAHSILDAR, MUVATTUPUZHA TALUK,
MUVATTUPUZHA, PIN-686 661.**
- 2. THE VILLAGE OFFICER,
VELLOORKUNNAM VILLAGE, MUVATTUPUZHA -686 661.**
- 3. THE KERALA STATE WAKF BOARD,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,
V.I.P. ROAD, KALOOR, KOCHI -682 017.**

**R1 & R2 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R3 BY SRI.K.SHIBILI NAHA, SC, KERALA STATE WAKF BOARD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 30518 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE LAND TAX RECEIPT NO.4674 754 DATED 29.6.2015
ISSUED BY THE VILLAGE OFFICER, VELLOORKUNNAM.
- P2- THE PHOTOCOPY OF THE ENCUMBRANCE CERTIFICATE NO. EC PREVIEW
DATED 24.10.2013
- P3- THE PHOTOCOPY OF THE WAKF DEED NO.3257/1119 (ME)
- P4- TRUE COPY OF THE APPLICATION SUBMITTED BY THE GENERAL
SECRETARY PERUMATTOM - MAHALLU JAMA-ATH ON 10.12.2014 BEFORE
THE 3RD RESPONDENT
- P5- TRUE COPY OF THE LETTER DATED 23.3.2015 NO.E4 5239/2014 TO THE
TAHSILDAR, MUVATTUPUZHA TALUK, MUVATTUPUZHA BY THE CHIEF
EXECUTIVE OFFICER, KERALA STATE WAKF BOARD SUBMITTED.
- P6- TRUE COPY OF THE AD CARD DATED 6.4.2015 RECEIVED BY THE
TAHSILDAR, MUVATTUPUZHA
- P7- TRUE COPY OF THE LETTER DATED 10.8.2015 OF THE SECRETARY OF
PERUMATTOM MAHALLU JAMA-ATH

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 30518 of 2015

Dated this the 08th day of October, 2015

JUDGMENT

The petitioner approached WAKF Board alleging that the WAKF property having an extent of 30 cents of the land comprised in Survey No.879/9B2, 879/9B3, 879/9B4, 879/9B5, in Velloorkunnam Village is not in possession of WAKF and to take appropriate action to recover the WAKF property.

2. The Chief Executive Officer of WAKF Board by Ext.P5 communication directed the Tahsildar to identify the WAKF property and report the matter to the WAKF Board. The communication was issued on 23/03/2015. The petitioner submits that no action has been taken by the Tahsildar pursuant to Ext.P5. Accordingly, the petitioner has approached this Court.

3. This Court is of the view that Tahsildar shall

complete the enquiry based on Ext.P5 within a period of two months from the date of receipt of a copy of this judgment and report the matter to the WAKF Board without any further delay.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE,
JUDGE**

bpr