

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937**

**WP(C).No. 30803 of 2015 (A)**  
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**PETITIONER(S) :**  
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1. **ABDUL KAREEM,  
AGED 41 YEARS, S/O. MAMMU HAJI  
NADUVILPEEDIKA HOUSE  
THAMARASSERY.**
2. **K.S. LEELA  
D/O. KUTTAPPAN NAIR  
M.M. PARAMBA P.O.,  
KOYILANDY (VIA.)**
3. **P. VISWANATHAN  
S/O. PARAMESWARAN NAIR  
ANANDASADAN, P.O. M.M. PARAMBA  
KOYILANDY (VIA.)**
4. **C. MUSTHAFA  
S/O. AYAMMED KUTTY  
CHIRAKKAL HOUSE  
P.O. UNNIKULAM  
THALASSERY.**

**BY ADV. DR.GEORGE ABRAHAM**

**RESPONDENT(S) :**  
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1. **STATE OF KERALA  
REPRESENTED BY SECRETARY TO GOVERNMENT  
REVENUE DEPARTMENT  
TRIVANDRUM – 695 001.**
2. **DISTRICT COLLECTOR  
KOZHIKODE – 673 001.**
3. **TAHSILDAR  
KOYILANDY TALUK  
CALICUT DISTRICT – 673 305.**

4. THE SUB – REGISTRAR  
SUB-REGISTRAR OFFICE  
THAMARASSERY,  
CALICUT DISTRICT – 673 301.
5. THE SUB – REGISTRAR  
SUB – REGISTRAR OFFICE,  
BALUSSERY, CALICUT DISTRICT – 673 301.

R1 TO R5 BY GOVT. PLEADER SMT.C.K. SHERIN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 09-10-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

Mn

...3/-

WP(C).No. 30803 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF THE TITLE DEED OF THE 1ST PETITIONER.
- EXT.P2 COPY OF THE TITLE DEED OF THE 2ND PETITIONER.
- EXT.P3 COPY OF THE TITLE DEED OF THE 3RD PETITIONER.
- EXT.P4 COPY OF THE TITLE DEED OF THE 4TH PETITIONER.
- EXT.P5 COPY OF THE JUDGMENT IN WP(C) NO. 34777/2011.
- EXT.P6 COPY OF THE G.O.(RT) NO. 147/2015/REVENUE DATED 17/4/2015.
- EXT.P7 COPY OF THE JUDGMENT DATED 8/9/2015 IN WP(C) NO. 19461/2015.

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. 30803 of 2015**  
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**Dated this the 9<sup>th</sup> October,2015**

**JUDGMENT**

Petitioners have approached this Court with the following reliefs:

- “i) to issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents 4 to 5 to permit the petitioners to transfer their immovable properties to persons of their choice.*
- ii) to declare that the petitioners are free to transfer their immovable properties, without insisting any permission from the respondents 1 to 5, in view of Exhibit P5 and Exhibit P7 judgments passed by this Hon'ble Court.”*

2. It is submitted by the learned Government Pleader that no action has been initiated to interdict the petitioners from transferring the land.

In that view of the matter, the petitioners are free to alienate the property in accordance with law. If the petitioners present any instrument for registration, if otherwise satisfies with the formalities under the Registration Law, necessarily, that instrument shall be registered even if the property is an exempted land under the Kerala Land Reforms Act.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE  
JUDGE**

vgs9/10/15