

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 30946 of 2015 (P)

PETITIONER :

**K.PURUSHAN, AGED 49 YEARS,
S/O.LATE KRISHNAN, PUSHPALAYAM, MANAKKARA,
SASTHAMCOTTA, KOLLAM DISTRICT.**

**BY ADVS.SRI.M.V.THAMBAN
SRI.R.REJI**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR, KOLLAM,
PIN-691 001.**
- 2. THE TAHSILDAR,
KUNNATHUR TALUK OFFICER, KUNNATHUR P.O.,
KOLLAM, KOLLAM DISTRICT, PIN-690 540.**
- 3. THE DISTRICT SURVEY SUPERINTENDENT,
OFFICE OF THE SURVEY SUPERINTENDENT,
KOLLAM DISTRICT, PIN-690 001.**
- 4. THE VILLAGE OFFICER,
SASTHAMCOTTA VILLAGE, SASTHAMCOTTA P.O,
KOLLAM DISTRICT, PIN-690 521.**
- 5. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695 001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No. 30946 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE EXTRACT OF THE PATTA ISSUED BY 2ND RESPONDENT.**
- P2 : TRUE COPY OF THE LETTER SENT BY THE 3RD RESPONDENT TO THE PETITIONER DT 2-5-2009**
- P3: TRUE COPY OF THE REPRESENTATION DT 21-9-2010**
- P4: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT ON 19-11-2011.**
- P5: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER DT 24-9-2012.**
- P6: TRUE COPY OF THE JUDGMENT DT 5-10-2013 IN WPC.NO.19759/2013**
- P7: TRUE COPY OF THE LETTER DT 17-12-2013 FROM THE 3RD RESPONDENT.**
- P8: TRUE COPY OF THE JUDGMENT DT 5-6-2014 IN WPC.NO.14258/2014 OF THIS HON'BLE COURT.**
- P9: TRUE COPY OF THE LETTER DT 4-12-2014 ISSUED BY THE DISTRICT COLLECTOR, KOLLAM.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.30946 of 2015

Dated this the 8th day of December, 2015

JUDGMENT

The petitioner is the owner in possession and enjoyment of 25 cents of property lying in Survey No.32/1 of Sasthamcotta Village in Kollam District. The petitioner claims title based on the Patta. The petitioner approached the revenue officials to effect measurement of the property. This Court having taken note of the terrain of the land in earlier occasion in W.P.(C) No.19759/2013 directed that if the petitioner makes necessary arrangement, the measurement and demarcation shall be done by the concerned respondents.

2. The petitioner submits that the respondents are not taking any action to measure and demarcate the property in spite of the directions of this Court.

3. Learned Government Pleader submits that if the petitioner makes available all the assistance as directed by this

Court in W.P.(C) No.19759/2013, the respondents will measure and demarcate the property.

Therefore, this Court is of the view that the petitioner shall make available all the necessary arrangement and report the matter before the Tahsildar, Kunnathur Taluk and if the petitioner intimates the Tahsildar, necessary steps shall be taken by the Tahsildar to measure and demarcate the property of the petitioner. If the area is waterlogged and it was on account of any reason not attributable to the petitioner, the Tahsildar shall also find out whether the petitioner can be assigned any other land covered by the Patta.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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