

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. 31775 of 2015 (V)

PETITIONER(S):

1. **P.MUHAMMED BASHEER, AGED 50 YEARS,
S/O.ALI HAJI, PUTHIYAMBRAMMAL HOUSE,
P.O.UNNIKULAM, POONUR, KOZHIKODE - 673 574.**
2. **MOIDEEN KUNJU K., S/O.ASSAN KOYA,
AGED 49 YEARS, KAKKATTUMMAL HOUSE,
P.O.UNNIKULAM, POONUR, KOZHIKODE - 673 574.**
3. **MANSOOR ALI VEERUMBIN CHALIL,
S/O.ABDU RAHIMAN, AGED 39 YEARS,
ASSARIKANDY, KOLIKKAL, P.O. UNNIKULAM,
POONUR, KOZHIKODE - 673 574.**

BY ADV. SRI.R.ABDUL AHAD

RESPONDENT(S):

1. **STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
THIRUVANANTHAPURAM - 695 001.**
2. **THE DISTRICT REGISTRAR,
KOZHIKODE - 673 001.**
2. **THE TAHSILDAR, TAMARASSERRY TALUK,
KOZHIKODE - 673 573.**
4. **THE TAHSILDAR, KOYILANDY TALUK,
KOZHIKODE - 673 305.**
5. **THE SUB REGISTRAR, SUB REGISTRAR'S OFFICE,
THAMARASSERY, CALICUT DISTRICT - 673 573.**
6. **THE SUB REGISTRAR, SUB REGISTRAR'S OFFICE,
BALUSSERY, CALICUT DISTRICT - 673 612.**

BY GOVERNMENT PLEADER SMT C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 31775 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF THE TITLE DEED NO.81/2014 OF SUB REGISTRAR,
KOZHIKODE OF THE 1ST PETITIONER.**

**EXT.P2: TRUE COPY OF THE TITLE DEED NO.88/2014 OF SUB REGISTRAR,
KOZHIKODE OF THE 2ND PETITIONER.**

**EXT.P3: TRUE COPY OF THE TITLE DEED NO.74/2014 OF SUB REGISTRAR,
KOZHIKODE OF THE 3RD PETITIONER.**

EXT.P4: TRUE COPY OF THE TAX RECEIPT DTD.5.5.2015 OF THE 1ST PETITIONER.

EXT.P5: TRUE COPY OF THE TAX RECEIPT DTD.26.5.2015 OF THE 2ND PETITIONER.

EXT.P6: TRUE COPY OF THE TAX RECEIPT DTD.25.4.2015 OF THE 3RD PETITIONER.

EXT.P7: TRUE COPY OF THE JUDGMENT IN WP(C) NO.34777 OF 2011.

EXT.P8: TRUE COPY OF THE G.O.(RT) NO.147/2015/REVENUE DTD.17.4.2015.

EXT.P9: TRUE COPY OF THE JUDGMENT DTD.8.9.2015 IN WP(C) NO.19461 OF 2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.31775 of 2015

Dated this the 19th day of October, 2015

J U D G M E N T

The petitioner claims to the owner and possession of exempted land under the Kerala Land Reforms Act has approached this Court seeking for a direction to the respondents 5 to 6 to permit the petitioners to transfer the immovable property to the third persons. The petitioner submits that the registering authority is not entertaining the registration for the reason this is an exempted land and there are circulars interdicting registration of such documents. The petitioner relies the judgment of this Court of this in W.P.(C) No.19461/2015 wherein this Court held that there is no impediment in transferring the exempted land in accordance with law.

2. Therefore, this Court is of the view that registering authority shall register the document in conformity with the Registration Act and other laws.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/