

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

WP(C).NO. 31915 OF 2015 (L)

PETITIONER:

**C.P.NEELESH AGED 37 YEARS
SON OF LATE LAKSHMANAN, RESIDING AT NEELIMA
CHATTUKAPARA.P.O, MANIYOOR VILLAGE, TALIPARAMBA TALUK
KANNUR.**

BY ADV. SRI.T.R.RAVI

RESPONDENT(S):

- 1. THE TAHSILDAR
THALASSERY TALUK, THALASSERY, KANNUR DISTRICT
PIN-670 71**
- 2. C. SARANYA
W/O.LATE C.P.NIGESH, KUNNINNU TAHAZHE VEEDU
NEAR AYYAPPAN KOTTA, P.O.MUZUPPILANGAD, KANNUR-670 662**

**R2 BY ADV. SRI.C.KHALID
R2 BY ADV. SMT.K.S.HASEENA
R2 BY ADV. SRI.K.P.MOHAMED SHAFI
R2 BY ADV. SMT.K.REEHA KHADER
R2 BY ADV. SMT.K.K.NESNA
R2 BY ADV. SRI.PHIJO PRADEESH PHILIP
R1 BY GOVERNMENT PLEADER SHRI. GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).NO. 31915 OF 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P-1: TRUE COPY OF THE DOCUMENT NO.3817/2011

EXHIBIT P-2: TRUE COPY OF THE WILL DATED 21.2.2014

EXHIBIT P-3: TRUE COPY OF THE GIFT DEED DATED 2.8.2014

EXHIBIT P-4: TRUE COPY OF JUDGMENT IN W.P21820/14

EXHIBIT P-5: TRUE COPY OF ORDER DATED 20.11.2014

EXHIBIT P-6: TRUE COPY OF JUDGMENT IN W.P33004/14

EXHIBIT P-7: TRUE COPY OF ORDER DATED 12.2.2015

EXHIBIT P-8 : TRUE COPY OF RELEASE DEED DATED 13.7.2015

RESPONDENTS EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

SKV

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.31915/2015**  
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Dated this the 9th Day of December, 2015

J U D G M E N T

The petitioner has approached this Court on account of the refusal to effect transfer of registry based on a settlement deed produced as Exhibit P3.

2. It appears that it is on account of a dispute regarding the settlement deed and due to a challenge raised by the party respondent, the revenue officials refuse to effect transfer of registry.

3. The transfer of registry is for fiscal purposes. Therefore, without prejudice to the right of the second respondent, to seek appropriate relief before the civil court, transfer of registry shall be affected by the first respondent. Whether, the title obtained by the petitioner is a valid title or not has to be decided by the civil court. The transfer of registry will be subject to the decision of the civil court. It is made clear that any certificate or any other document issued, based on the transfer of registry will not enure to the benefit of the petitioner and will be subject to the decision on the title before the civil court.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE