

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

W.P.(C).No. 32180 of 2015 (V)

PETITIONER:

**MADHUSOODHANAN,
S/O. SUKUMARAN, PARUTHIPPARAYIL HOUSE,
MELUKAVU POST AND VILLAGE, MEENACHIL TALUK.**

**BY ADVS. SRI. MATHEW JOHN (K)
SRI. DOMSON J.VATTAKUZH**

RESPONDENT(S):

- 1. THE SECRETARY TO GOVERNMENT,
TOURISM DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. DISTRICT COLLECTOR,
KOTTAYAM - 686 001.**
- 3. THE TAHSILDAR,
MEENACHIL - 686 577.**
- 4. THE VILLAGE OFFICER
MELUKAVU VILLAGE, PALA - 686 575.**

BY SENIOR GOVERNMENT PLEADER SRI. BIJU MEENATTUR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: A TRUE COPY OF THE LAND ASSIGNMENT PROCEEDINGS NO.364/69 (MELUKAVU) DATED 10.12.1975 IN FAVOUR OF THE PETITIONERS FATHER.

EXHIBIT P2: A TRUE COPY OF THE SKETCH OF THE PROPERTY.

EXHIBIT P3: A TRUE COPY OF THE ORDER NO.G.O(RT)NO.8081/2014.TSM DATED 20.10.2014.

EXHIBIT P4: A TRUE COPY OF THE ORDER G.O(RT)NO.6127/2013/TSM DATED 23.07.2013.

EXHIBIT P5: A TRUE COPY OF THE REPRESENTATION BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 07.10.2015.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

ANIL K. NARENDRA, J.

W.P.(C). No. 32180 of 2015

Dated this the 21st day of October, 2015

JUDGMENT

The petitioner, who is stated to be in possession and enjoyment of an extent of 5.65 acres of land in Sy. No.1163/1-20 of Melukavu Village has filed this writ petition seeking a writ of mandamus commanding the 2nd respondent to pass final orders on Ext.P5 representation without further delay. The petitioner has also sought writ of mandamus commanding respondents 1 to 4 and their subordinates not to interfere with the peaceful possession and enjoyment of the petitioner and his brothers in respect of the non patta lands covered by Ext.P2 till the 2nd respondent passes final orders on Ext.P5 representation.

2. Heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for the respondents.

3. Considering the fact that Ext.P5 representation filed by the petitioner is still pending consideration before the 2nd respondent, I deem it appropriate to dispose of this writ petition, without going into the merits of the claim made by the petitioner in Ext.P5 representation.

4. In the result, this writ petition is disposed of directing the 2nd respondent to pass appropriate orders on Ext.P5 representation, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a certified copy of this judgment.

It is made clear that this Court has not expressed anything on the merit of the claim made by the petitioner in Ext.P5 representation and it is for the 2nd respondent to pass appropriate orders thereon, strictly in accordance with law.

Sd/-
ANIL K. NARENDRA
JUDGE