

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

WP(C).No. 32227 of 2015 (C)

PETITIONER :

**JANE ABRAHAM,
W/O LATE M.C. ABRAHAM, AGED 74 YEARS,
RESIDING AT MARY VILLA, MUKKADA,
KRISHNAMPURAM P.O, KAYAMKULAM.**

BY ADV. SRI.A.SHAFAEEK (KAYAMKULAM)

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
ALAPPUZHA-688 001**
- 2. THE TAHSILDAR,
KARTHIKAPPALLY TALUK, HARIPAD,
ALAPPUZHA-690 514**
- 3. THE VILLAGE OFFICER,
PUTHUPPALLY, KAYAKULAM-690 527**

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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EXT.P2: TRUE COPY OF THE KACHIT ISSUED BY THE AMIN INCLUDING THE REPORT ABOUT THE EXECUTION OF THE DECREE BY THE AMIN AND THE REPORT OF THE 3RD RESPONDENT ABOUT MEASURING AND HANDING OVER THE PROPERTY TO THE AMIN FOR EXECUTING THE DECREE

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.32227 of 2015

Dated this the 2nd day of November, 2015

JUDGMENT

The petitioner is the owner in exclusive possession and enjoyment of 19 cents of property comprised in re-survey No.432/4 of Puthuppally Village in Karthikapally Taluk. The petitioner submits that the petitioner obtained the title in respect of the property as per Ext.P1 final decree proceedings. The petitioner also relies on the delivery effected through civil court.

2. It appears that the petitioner's brother's son filed a suit and claiming title over the property. The petitioner's suit has been dismissed.

3. The learned Government Pleader submits that the property stands in the name of three persons who are the children of petitioner's brother.

This Court is of the view that in the light of the civil court decree produced by the petitioner and delivery effected from the civil court, necessary action shall be taken to effect mutation, necessarily, before taking a decision, the persons whose names

are shown in the Basic Tax Register also shall be heard. Needful shall be done within two months.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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