

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMMED MUSTAQUE

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).No. 32383 of 2015 (W)

PETITIONER:

JOYS THE BEACH RESORT PVT. LTD.,
ADIMALATHURA, CHOVARA (PO),
KOTTUKAAL VILLAGE, NEYYATTINKARA,
REPRESENTED BY ITS MANAGING DIRECTOR
T.C. PAUL

BY ADV. SRI.G.S.REGHUNATH

RESPONDENTS:

1. THE STATE OF KERALA REPRESENTED BY
PRINCIPAL SECRETARY TO GOVERNMENT(REVENUE),
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001
2. REVENUE DEIVISIONAL OFFICER
THIRUVANANTHAPURAM-695 001
3. ADDITIONAL TAHASILDAR,
TALUK OFFICE, NEYYATTINKARA,
TRIVANDRUM-695 121
4. VILLAGE OFFICER,
KOTTUKAAL, NEYYATTINKARA,
TRIVANDRUM-695 121

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18-11-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF THE BASIC TAX RECEIPTS ISSUED IN THE NAME OF PETITIONER
- EXT.P2 : TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE VILLAGE OFFICER
- EXT.P3 : TRUE COPY OF THE NOTICE DT. 26/12/01 ISSUED BY SECRETARY, KOTTUKAAL GRAMA PANCHAYATH TO THE PETITIONER
- EXT.P4 : TRUE COPY OF THE NOTICE DT. 9/7/09 ISSUED BY SECRETARY, KOTTUKAAL GRAMA PANCHAYAT TO THE PETITIONER
- EXT.P5 : TRUE COPY OF THE NOTICE DT. 21/1/10 ISSUED BY SECRETARY, KOTTUKAAL GRAMA PANCHAYAT TO THE PETITIONER
- EXT.P6 : TRUE COPY OF THE REPLY DT. 3/2/210 SENT BY PETITIONER TO EXT. P5
- EXT.P7 : TRUE COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT DT. 23/3/15
- EXT.P8 : TRUE COPY OF THE DETAILED REPLY SENT BY PETITIONER TO EXT. P7 NOTICE DT. 9/4/15
- EXT.P9 : TRUE COPY OF THE NOTICE DT. 31/8/15 ISSUED BY 3RD RESPONDENT
- EXT.P10 : TRUE COPY OF THE APPEAL NO. 18242/15 FILED BY PETITIONER BEFORE THE 2ND RESPONDENT
- EXT.P11 : TRUE COPY OF THE LETTER SENT BY PETITIONER TO THE 3RD RESPONDENT DT. 23/9/15
- EXT.P12 : TRUE COPY OF THE NOTICE FROM THE 3RD RESPONDENT DT. 14/10/15

RESPONDENT(S)' EXHIBITS :NIL

/TRUE COPY/

P.A. TO JUDGE.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 32383 of 2015

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Dated this the 18th day of November, 2015

J U D G M E N T

The petitioner is a private limited company. The petitioner has been served with an order under the Land Conservancy Act. The petitioner challenged the order before the Revenue Divisional Officer, Thiruvananthapuram. Ext.P10 is the copy of the appeal filed by the petitioner and the appeal is pending.

2. In the meanwhile the petitioner has been served with a notice by the Additional Tahsildar for determining and demarcating the Government land. The petitioner challenges this notice.

3. This Court is of the view that the petitioner shall co-operate with Ext.P12 notice issued by the Additional Tahsildar. However the Additional Tahsildar shall not enforce the decision pursuant to Ext.P12 notice till the disposal of the appeal by the Revenue Divisional Officer.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE