

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

WP(C).No. 32741 of 2015 (P)

PETITIONER:

**NISA BAIJU, AGED 35 YEARS,
W/O BAIJU, CHAKKORIYA HOUSE,
PORATHUSSERRY DESOM & VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.RAJESH CHAKYAT

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
THRISSUR, CIVIL STATION, AYYANTHOLE,
THRISSUR-680 103.**
- 2. THE TAHSILDAR MUKUNDAPURAM,
TALUK OFFICE MUKUNDAPURAM,
CIVIL STATION, IRINJALAKUDA,
THRISSUR DISTRICT-680 101.**
- 3. THE VILLAGE OFFICER,
VILLAGE OFFICE PORATHUSSRY,
MUKUNDHAPURAM TALUK,
THRISSUR DISTRICT-680 001.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXT.P1: A TRUE COPY OF THE SALE DEED DT. 7/4/14.
- EXT.P2: A TRUE COPY OF THE APPLICATION TO EFFECT MUTATION IN THE NAME OF PETITIONER.
- EXT.P3: A TRUE COPY OF THE LAND TAX RECEIPT DT. 7/4/14.
- EXT.P4: A TRUE COPY OF THE ENCUMBRANCE CERTIFICATE DT. 12/4/13.
- EXT.P5: A TRUE COPY OF THE PETITION IN P.L.P.NO. 392/15 DT. 28/5/15.
- EXT.P6: A TRUE COPY OF THE STATEMENT FILED BY THE ADDITIONAL TAHSILDAR DT. 26/6/15.
- EXT.P7: A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER DT. 5/10/15.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 32741 of 2015

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Dated this the 28th day of October, 2015

J U D G M E N T

The petitioner approached the revenue officials to effect mutation based on Ext.P1 document. This has not been considered for the reason that there are revenue recovery proceedings against the vendor of the petitioner.

2. The transfer of registry is for the fiscal purposes. It cannot effect the right of creditor, if they are entitled to proceed against the property in accordance with law. In that view of the matter without prejudice the right of creditor to proceed against the property, if it is available under the law, the transfer of registry shall be effected. Needful shall be done by the 2nd and 3rd respondents within three weeks from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE