

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

WP(C).No. 33404 of 2014 (A)

PETITIONER:

**PRAMEELA.C.K.,
W/O.BELRAJ, CC NO 16/1035, TAGORE ROAD
THOPPUMPADY-682005.**

BY ADV. SRI.T.RAJESH

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT-695001.**
- 2. SECRETARY, LAND BOARD,
THIRUVANANTHAPURAM-695001**
- 3. THE ADDITIONAL TAHSILDAR,
KOCHI TALUK, KOCHI-682005.**
- 4. VILLAGE OFFICER,
THOPPUMPADY-682005.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- A TRUE COPY OF THE SETTLEMENT DEED NO 2439 OF 1999 DTD 19/4/1999**
- P2:- A TRUE COPY OF THE WILL EXECUTED BY FATHER OF PETITIONERS
HUSBAND BEQUEATHING THE PROPERTY TO PETITIONERS HUSBAND**
- P3:- A TRUE COPY OF THE DOCUMENT NO 1812 OF 1992 DTD 25/4/1992**
- P4:- A TRUE COPY OF THE LOCATION SKETCH ISSUED BY THE 4TH RESPONDENT**
- P5:- A TRUE COPY OF REMITTING THE BASIC TAX OF THE PROPERTY AND THE
LATEST BASIC TAX REMITTANCE RECEIPT DTD 14/10/2014**
- P6:- A TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE 4TH
RESPONDENT**
- P7:- A TRUE COPY OF THE COMMUNICATION RECEIVED FROM THE 4TH
RESPONDENT DECLINING THE PRAYER FOR MUTATION**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 33404 of 2014

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Dated, this the 20th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

- (i) Issue a writ of mandamus compelling the respondents to effect mutation of the property purchased by the petitioner.
- (ii) Issue such other order or direction as this Honourable Court deems fit considering the facts and circumstances of the case.
- (iii) Direct the respondent to pay the cost of the proceedings.

2. The learned Government Pleader points out that the relief sought for by the petitioner for effecting mutation in terms of Transfer of Registry Rules could not be acceded to, as the property concerned is an 'inam land' as disclosed from Ext. P7. It is pointed out that the petitioner has to satisfy the prescribed amount payable under the relevant provisions of the Kerala Service Inam Lands (Vesting and Enfranchisement) Rules and further by virtue of the amendment of the Rules notified in the gazette dated 3rd December 2014, as per the notification dated 29.11.2014. The petitioner is still having time to

W.P.(C) No. 33404 of 2014

: 2 :

effect the due amount, which can be effected on or before the 31st December, 2015.

3. The learned counsel for the petitioner submits that the writ petition might be permitted to be withdrawn with liberty to approach this Court, if any, future cause of action arises. Permission is granted. The Writ Petition is dismissed as withdrawn.

sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd