

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).No. 33235 of 2015 (D)

PETITIONER(S):

**M.K.THOMASKUTTY,
S/O. KURIAN, MUTHUPUNNAKAL HOUSE, THALAPALAM,
PLASSANAL P.O., ERATTUPETTA - 686 579.**

**BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM**

RESPONDENT(S):

- 1. THE TAHSILDAR,
PEERMADE - 685 531.**
- 2. THE VILLAGE OFFICER, ELAPPARA - 685 501.**

BY SPECIAL GOVERNMENT PLEADER SMT.SUSHEELA BHATT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 33235 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1 TRUE COPY OF SALE DEED NO 2959/2012 OF S.R.O., PEERMADE
DATED 07-08-2012.**

**EXHIBIT P2 TRUE COPY OF THE TAX RECEIPT ISSUED BY THE 2ND RESPONDENT TO
THE PETITIONER DATED 06-10-2015.**

**EXHIBIT P3 TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER TO
THE 2ND RESPONDENT DATED 06-10-2015.**

**EXHIBIT P4 TRUE COPY OF LETTER O 1178/2015 ISSUED BY THE 2ND RESPONDENT
DATED 06-10-2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 33235 of 2015

Dated this the 19th day of November, 2015

J U D G M E N T

Petitioner, who is the owner of 70.11 ares comprised in Sy.No.10/1/2/3 of Elappara Village, has approached this Court alleging that the revenue officials refused to issue possession certificate as well as location sketch.

2. Petitioner has purchased the property from M/s.Thomas Machael and others in the year 2012.

3. The Revenue Officials refused to issue possession certificate and sketch on account of the fact that this land is an exempted land under the Land Reforms Act and attempt is being made to convert the land.

4. This Court is of the view that if the petitioner has obtained any exempted land under the Land Reforms Act, he is bound to utilise the land for the purpose of which exemption has been granted. If the

petitioner converts the land, the Land Board or revenue officials are entitled to proceed against the petitioners' land in accordance with the provisions of the Land Reforms Act. However, this will not stand in the way of the petitioner in obtaining possession certificate or location sketch in respect of the land. Therefore, without prejudice to the right of the State to proceed against the property, possession certificate and location sketch shall be issued to the petitioner within a period of one month from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO. 33235 OF 2015

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