

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 33770 of 2014 (U)

PETITIONER(S):

1. K.M.NAZREEN,
GLASS NOST, THONDAYAD, NEAR RIFLE CLUB,
KOZHIKODE - 673 016.
2. K.M. NAJUMA,
KOYAPPATHODI VILLA, KRISHNAN NAIR ROAD,
MALIKKADAVU, KOZHIKODE - 673 010.

BY ADV. SMT.BIMALA BABY

RESPONDENT(S):

1. THE DISTRICT COLLECTOR,
KOZHIKODE DISTRICT, COLLECTORATE, CIVIL STATION,
KOZHIKODE - 673 001.
2. THE TAHSILDAR,
TALUK OFFICE , KOZHIKODE - 673 001.
3. THE VILLAGE OFFICER,
THIRUVAMBADI VILLAGE, KOZHIKODE DISTRICT.
4. THE DIVISIONAL FOREST OFFICER,
KOZHIKODE DIVISION, CIVIL STATION, KOZHIKODE - 673 001.
5. THE ASSISTANT DIRECTOR,
FOREST MINI SURVEY, KOZHIKODE - 673 001.

BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 33770 of 2014 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1:-TRUE COPY OF THE LAND TAX RECEIPT DTD 30/3/2005 ISSUED BY THE
3RD RESPONDENT TO THE 1ST PETITIONER.**

**EXT.P2:-TRUE COPY OF THE LAND TAX RECEIPT DTD 23/3/2005 ISSUED BY THE
3RD RESPONDENT TO THE 2ND PETITIONER.**

**EXT.P3:-TRUE COPY OF THE JUDGMENT DTD 27/11/2013 PASSED BY THIS HON'BLE
COURT IN WPC NO 29148/2013.**

**EXT.P4:-TRUE COPY OF THE ORDER DTD 12/2/2014 PASSED BY THE
1ST RESPONDENT.**

**EXT.P5:-TRUE COPY OF THE COMMUNICATION DTD 22/3/2014 ISSUED BY THE
4TH RESPONDENT.**

**EXT.P6:-TRUE COPY OF THE COMMUNICATION DTD 20/10/2014 ISSUED BY THE
PUBLIC INFORMATION OFFICER & DEPUTY COLLECTOR (RR), KOZHIKODE.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 33770 of 2014

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Dated, this the 9^h day of January, 2015

JUDGMENT

The petitioners have approached this Court with the following prayers :

"(i) To issue a writ of mandamus or other appropriate writ or order directing respondent Nos. 4 and 5 to survey the lands covered by Exts. P1 and P2 and report to the 2nd respondent within a time bound manner, as may be fixed by this Hon'ble Court in the interest of justice.

(ii) To issue a writ of mandamus or other appropriate writ or order directing the respondents to permit the petitioners to carry out agricultural operations and take yield from the land covered by Exts. P1 and P2;

(iii) To issue a writ of mandamus or other appropriate writ or order directing respondent Nos. 2 and 3 to accept land tax from the petitioners in respect of the lands covered by Exts. P1 and P2 in the light of Ext. P4 order.

(iv) Grant such other reliefs as this Hon'ble Court may deem just and proper in the interest of justice, including costs.

2. The learned Government Pleader submits, on instructions, that necessary steps will be taken to conduct the survey of the land

concerned and that a minimum period of 3 months is necessary to complete such exercise.

3. After hearing both the sides, the writ petition is disposed of, recording the submission made by the learned Government Pleader. The respondents 4 and 5 are directed to complete survey of the land question, as expeditiously as possible, at any rate within three months from the date of receipt of a copy of this judgment and a report shall be submitted to the second respondent, upon which further steps shall be taken by the 2nd respondent within three months thereafter.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the concerned respondent for further steps.

Sd/-

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

kmd