

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

WP(C).No. 33611 of 2015 (B)

PETITIONER(S):

**KALPAKADEVI, AGED 66 YEARS,
W/O.LATE K.V.NARAYANANKUTTY, THANNISSERY,
PERUVEMBA P.O. PALAKKAD TALUK, PALAKKAD DISTRICT.**

**BY ADVS.SRI.JACOB SEBASTIAN
SMT.SHAMSEERA. C.ASHRAF**

RESPONDENT(S):

**1. THE TAHSILDAR,
ALATHUR, TALUK OFFICE, ALATHUR,
PALAKKAD - 678 541.**

**2. THE VILLAGE OFFICER,
PERINGOTTUKURISSI - I VILLAGE,
PALAKKAD DISTRICT.PIN - 678 701.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 33611 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P-1: A TRUE COPY OF THE BASIC TAX PAID RECEIPT DATED MARCH 18, 2015
ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT**

**EXT.P-2: A TRUE COPY OF THE POSSESSION CERTIFICATE IN RESPECT OF
PROPERTY IN THE NAME OF THE PETITIONER ISSUED BY THE 2ND
RESPONDENT**

**EXT.P-3: A TRUE COPY OF THE JUDGEMENT DATED AUGUST 17, 2007 IN ORIGINAL
SUIT NUMBER 292/2004 OF THE COURT OF THE SUBORDINATE JUDGE OF
PALAKKAD.**

**EXT.P-4: A TRUE COPY OF THE JUDGEMENT DATED SEPTEMBER 25, 2015 IN RFA
NUMBER 139/2008 OF THIS HONOURABLE COURT.**

**EXT.P-5: A TRUE COPY OF THE LETTER DATED OCTOBER 13, 2015 ISSUED BY
ADVOCATE K.R.SAVITHA.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.33611 of 2015

Dated this the 4th day of November, 2015

JUDGMENT

The petitioner approached the Revenue Officials to accept tax in respect of the property covered as per Ext.P2 possession certificate. This was refused to act upon on account of the pendency of the civil case.

This Court is of the view that if the petitioner is in possession, basic tax shall be accepted from the petitioner unless the Revenue Officials are interdicted by the order of the competent civil court or any other competent authority. It is also open for the Revenue Officials to issue possession certificate if they are satisfied that the petitioner is in possession of the property.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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