

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

WP(C).No. 33718 of 2015 (L)

PETITIONER(S):

1. PENNAMMA GOPALAN,
W/O.GOPALAN, GOPI BHAVAN, AYAVANA P.O.,
KARIMATTOM, MUVATTUPUZHA, ERNAKULAM DISTRICT.
2. GABEESH GOPI,
S/O.GOPALAN, GOPI BHAVAN, AYAVANA P.O.,
KARIMATTOM, MUVATTUPUZHA, ERNAKULAM DISTRICT.
3. GIBI GOPI,
S/O.GOPALAN, GOPI BHAVAN, AYAVANA P.O.,
KARIMATTOM, MUVATTUPUZHA, ERNAKULAM DISTRICT.

**BY ADVS.SRI.K.C.SANTHOSHKUMAR
SMT.K.K.CHANDRALEKHA**

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
2. TAHSILDAR,
THODUPUZHA TALUK, IDUKKI DISTRICT-685664.
3. TALUK SURVEYOR,
THODUPUZHA, IDUKKI DISTRICT-685584.
4. VILLAGE OFFICER,
MUTTOM, THODUPUZHA, IDUKKI DISTRICT-685584.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 33718 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE JUDGMENT IN OS 269/1982 ON THE FILE OF THE MUNSIFF COURT, THODUPUZHA.**
- P2 : TRUE COPY OF THE DECREE IN OS 269/1982 ON THE FILE OF THE MUNSIFF COURT, THODUPUZHA.**
- P3 : TRUE COPY OF THE COMMISSION REPORT SUBMITTED BY THE ADVOCATE COMMISSIONER.**
- P3A : TRUE COPY OF THE SKETCH PREPARED BY THE TALUK SURVEYOR, THODUPUZHA.**
- P4 : TRUE COPY OF THE SKETCH PLAN MADE AVAILABLE TO THE PETITIONER WITH RESPECT TO THE R.S.NO.375.**
- P5 : TRUE COPY OF THE REPORT DT.20-2-2015 SUBMITTED BY THE TALUK SURVEYOR.**
- P6 : TRUE COPY OF THE APPLICATION DT.28-10-2015 SUBMITTED BY THE PETITIONER BEFORE THE R2 WITH ACKNOWLEDGMENT.**

RESPONDENT(S)' EXHIBITS

NIL

/ TRUE COPY

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 33718 of 2015

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Dated this the 6th day of November, 2015

J U D G M E N T

The petitioner approached the 2nd respondent to effect transfer of registry based on Exts.P1 and P2 judgment and decree.

2. The petitioner refers to report of Taluk Surveyor. It appears that on account of pendency of C.M.A No. 87/14 on the file of the District Court, the transfer of registry was not effected.

3. This Court is of the view that if the petitioner's right and possession is traceable, as per Exts.P1 and P2, necessarily transfer of registry shall be effected unless any competent court pass an order prohibiting transfer of registry. Needful shall be done within a period of four weeks from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

/True copy/

P.A. to Judge

sab