

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

WP(C).No. 35001 of 2014 (A)

PETITIONER:

**NAHOKO KAKKIKURA, AGED 43 YEARS,
W/O.S.JAYAKRISHNAN, H.NO.12/604 B,
ELOOR MUNICIPALITY, MANJUMMAL KARA,
ELOOR VILLAGE, ELOOR P.O, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.ABRAHAM P.GEORGE
SRI.K.VINODKUMAR (707/89)**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
ERNAKULAM, CIVIL STATION,
KAKKANAD, PIN - 682 030.**
- 2. THE TAHSILDAR, PARUR TALUK,
OFFICE AT MINI CIVIL STATION,
NORTH PARUR, PIN - 683 513.**
- 3. THE VILLAGE OFFICER,
ELOOR VILLAGE, ELOOR PO, PIN - 683 501.**

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 35001 of 2014 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1 : TRUE PHOTO COPY OF THE SALE DEED NO.2900/2013 OF THE OFFICE
OF THE DISTRICT REGISTRAR(AUDIT),ERNAKULAM.**

**EXHIBIT P2 : TRUE PHOTO COPY OF THE APPLICATION FOR MUTATION BEFORE
THE VILLAFGE OFFICER, ELOOR VILLAGE.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 35001 of 2014

Dated this the 13th day of January, 2015

J U D G M E N T

The petitioner purchased the land having an extent of 1.93 Ares in Sy.No.34/5/A/2 (Re-Survey No.25, Re-Survey Block No.157) of Eloor Village, Parur Taluk as per Ext.P1 'sale deed' for valuable sale consideration. After effecting the purchase, the petitioner approached the 3rd respondent by filing Ext.P2 application for effecting mutation, causing necessary changes in the transfer of registry in accordance with the Transfer of Registry Rules. The said application is not acted upon and hence the writ petition.

2. Heard the learned Government Pleader as well, who submits that the only adverse circumstance was with regard to the nationality of the petitioner who is a foreign national, though she happens to be the wife of a person of Indian region. The learned Government Pleader fairly submits that there is no prohibition under the statute in view of the nature of the property involved herein, it not being an agricultural land.

3. In the said circumstances, the 3rd respondent is directed to consider Ext.P2 application, and do the needful to cause the mutation to be effected in terms of the Transfer of Registry Rules and to accept the tax from the petitioner in respect of the property covered by Ext.P1, which shall be done, at the earliest, at any rate, within a period of 'six weeks' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 3rd respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.