

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).No. 34798 of 2015 (Y)

PETITIONER(S):

1. **MAHESHKUMAR, AGED 37 YEARS,
S/O.SUKUMARAN, KUZHIVILAVEETIL HOUSE,
AGALI P.O., PALAKKAD-678581.**
2. **SURYAMOL, W/O.MAHESHKUMAR, KUZHIVILAVEETIL HOUSE,
AGALI P.O., PALAKKAD-678581.**

**BY ADVS.SRI.P.N.SANTHOSH
SMT.K.P.GEETHA MANI**

RESPONDENT(S):

1. **THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICE,
OTTAPPALAM REVENUE DIVISION, PALAKKAD-679101.**
2. **THE VILLAGE OFFICER,
AGALI VILLAGE OFFICE, AGALI P.O., PALAKKAD-678581.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 34798 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE DOCUMENT NO.549/1/12 DATED 21/4/12 OF AGALI S.R.O.EXECUTED IN FAVOUR OF THE PETITIONER**
- P2: TRUE COPY OF THE DOCUMENT NO.550/1/12 DATED 21/4/12 OF AGALI S.R.O. EXECUTED IN FAVOUR OF THE PETITIONER.**
- P3: TRUE COPY OF THE JUDGMENT DATED 29/8/11 IN WPC.23239/11 OF THIS HONOURABLE COURT.**
- P4: TRUE COPY OF THE PROCEEDINGS DATED 28/12/10 IN TLA.1588/87 OF THE REVENUE DIVISIONAL OFFICER, OTTAPPALAM.**
- P5: TRUE COPY OF THE JUDGMENT DATED 16/10/15 IN WPC.31607/15 OF THIS HONOURABLE COURT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

WP.(C) No.34798 of 2015

Dated this the 18th day of November, 2015

JUDGMENT

The petitioner has approached this Court on account of non-acceptance of land tax in respect of the property referred in Ext.P1 document. The Sub Registrar has refused to register the document on the ground that the said property was once belonged to Scheduled Tribe community and the same cannot be transferred without permission from revenue authorities.

2. This Court is of the view that the revenue officials shall accept the basic tax and issue possession certificate to the petitioner subject to their right to proceed against the property in accordance with law.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In