

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 35059 of 2014 (F)

PETITIONER(S):

1. TOMY MATHEW, AGED 49 YEARS
S/O.MATHEW, MANJAPPILLIL HOUSE, PADINJATTINKARA P.O.
KADAPLAMATTOM, PULIYANNOR VILLAGE, PALAI
KOTTAYAM DISTRICT, PIN - 686 571.
2. SALI TOMY, AGED 45 YEARS
W/O.TOMY MATHEW, MANJAPPILLIL HOUSE, PADINJATTINKARA
KADAPLAMATTOM, PULIYANNOR VILLAGE, PALAI
KOTTAYAM DISTRICT, PIN - 686 571.

**BY ADVS.SRI.S.VIDYASAGAR
SMT.K.J.SONIA**

RESPONDENTS:-:

1. STATE OF KERALA,
REPRESENTED BY SECRETARY, REVENUE DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
PIN - 695 001.
2. DISTRICT COLLECTOR,
KOTTAYAM, OFFICE OF THE DISTRICT COLLECTOR
CIVIL STATION, KOTTAYAM, PIN - 686 013.
3. TAHSILDAR,
TAHASILDAR'S OFFICE, PALAI, PIN - 686 575.
4. VILLAGE OFFICER,
PULIYANNOOR VILLAGE, MUTHOLY P.O., PIN - 686 697.

BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. THE TRUE COPY OF THE SETTLEMENT DEED NO.2809/82 OF PALA SRO.**
- EXHIBIT P2. THE TRUE COPY OF SALE DEED NO.4750/96 OF SRO PALA.**
- EXHIBIT P3. THE TRUE COPY OF FIELD RE SURVEY PLAN OF OF THE PETITIONER'S PROPERTIES IN RE.SY.NO.239/1 AND 2 ISSUED BY VILLAGE OFFICER PULIYANNOOR.**
- EXHIBIT P4. THE TRUE COPY OF THE RE SURVEY SKETCH IN RE SY.NO.239/1 ISSUED BY THE VILLAGE OFFICER, PULIYANNOOR.**
- EXHIBIT P5. THE TRUE COPY OF THE REPLY 21.07.2011 ISSUED BY THE 4TH RESPONDENT.**
- EXHIBIT P6. THE TRUE COPY OF THE ENCUMBRANCE CERTIFICATE ISSUED BY THE SUB REGISTRAR PALA DATED 01.03.2012 IN RESPECT OF THE PETITIONER'S PROPERTY.**
- EXHIBIT P7. THE TRUE COPY OF THE APPLICATION FILED BEFORE THE 4TH RESPONDENT FOR CHANGE OF NAME IN THANDAPER REGISTRAR.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.
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W.P.(C). No. 35059 of 2014
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Dated this the 7th day of January, 2015

JUDGMENT

Petitioners have approached this Court with the following reliefs:

- 1) A writ of mandamus directing the 4th respondent to change the names in Mutation Register with thandaper No.1292 of Puliyanloor Village and incorporate the names of the petitioners 1 and 2.
- 2) A writ of mandamus directing the 4th respondent to receive the property tax from the petitioners in respect of the properties covered under P1 and P2 documents situated in 239/1 and 2 of Puliyanloor Village.

2. The learned counsel for the petitioners submits that the petitioners are the owners in possession and enjoyment of the land under Exts.P1 and P2. After the death of the 1st petitioner's father, the petitioners approached the 4th respondent, for changing the names in the Mutation Register. Since the 4th respondent caused delay in effecting the same, the petitioners have filed the writ petition.

3. Heard the learned Government Pleader as well.

4. Considering the limited extent of relief sought for, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of directing the 4th respondent to consider and pass appropriate orders on Ext.P7, at the earliest, at any rate within six weeks from the date of receipt of a copy of this judgment. Petitioners shall produce a copy of this judgment along with a copy of this writ petition before the 4th respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE