

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.35293 of 2014 (J)

PETITIONER:

**ALBERT ABEY V.S,S/O.LATE ADV.V.A.SAURUNNY,
VEVUKATTU HOUSE,T-SQUARE LANE,
PACHALAM P.O.,COCHIN - 682 012.**

BY ADV. SRI.BABU CHERUKARA

RESPONDENTS:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT,
TRIVANDRUM,PIN:695 001.**
- 2. THE VILLAGE OFFICER,
VARAPUZHA VILLAGE,
VARAPUZHA P.O.,PIN:683 517,
NORTH PARUR TALUK.**

BY GOVT. 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:**

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APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:A TRUE PHOTOSTAT COPY OF THE TAX RECEIPT DATED 7/4/2014.

EXT.P2:A TRUE PHOTOSTAT COPY OF THE POSSESSION CERTIFICATE
DATED 8/9/2006.

EXT.P3:A TRUE PHOTOSTAT COPY OF THE PARTITION DEED NO.4462/2014.

EXT.P4:A TRUE PHOTOSTAT COPY OF THE APPLICATION IN FORM NO.1
DATED 6/10/2014.

EXT.P5:A TRUE PHOTOSTAT COPY OF THE RECEIPT OF THE 2ND RESPONDENT.

EXT.P6:A TRUE PHOTOSTAT COPY OF THE LETTER DATED 12/12/2014 OF THE
2ND RESPONDENT.

EXT.P7:A TRUE PHOTOSTAT COPY OF THE LETTER DATED 18/12/2014 OF THE
2ND RESPONDENT.

EXT.P8:A TRUE PHOTOSTAT COPY OF THE LETTER DATED 19/12/2014 OF THE
2ND RESPONDENT.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.R. RAMACHANDRA MENON, J.
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W.P.(C). No. 35293 of 2014
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Dated this the 7th day of January, 2015

JUDGMENT

The petitioner, who was the joint owner of an extent of 49.70 Ares of property lying in Sy.No.333/1 A1 of Varapuzha Village, filed Ext.P4 application for mutating the property before the 2nd respondent. As per Ext.P2 the petitioner and his sisters who were the joint owners, decided to partition the property and they registered the partition deed No.4462/2014 as evidenced from Ext.P3. In view of the delay in effecting mutation, in terms of the relevant provisions of 'Transfer of Registry Rules', the petitioner approached the 2nd respondent by filing Exts.P6 to P8 representations. Since the 2nd respondent is seen negligent in the matter, the petitioner has approached this Court by filing the writ petition.

2. Heard the learned Government Pleader as well.
3. Considering the limited extent of relief sought

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for, this Court does not find it necessary to go into the merits of the case.

The writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P4, in the light of Exts.P6 to P8 and such other relevant materials, if any, at the earliest, at any rate within a period of two months 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 2nd respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

das