

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMMED MUSTAQUE

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

WP(C).No. 35890 of 2015 (I)

PETITIONER:

SANTHOSH M PHILIP, AGED 45 YEARS,
S/O.M.M.POTHEN, MANNOORETTONNIL HOUSE,
MELAMPARA KARA, THALAPPALAM VILLAGE,
MEENACHIL TALUK, KOTTAYAM DISTRICT.

BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G
SRI.DIPU JAMES

RESPONDENTS:-

1. STATE OF KERALA, REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. DISTRICT COLLECTOR,
COLLECTORATE, KOTTAYAM - 688 001.
3. DISTRICT SURVEY SUPERINTENDENT,
OFFICE OF THE DISTRICT SURVEY SUPERINTENDENT,
COLLECTORATE, KOTTAYAM - 688 001.
4. TAHSILDAR, MEENACHIL TALUK,
MINI CIVIL STATION, PALA - 688 575.
5. THE VILLAGE OFFICER, VILLAGE OFFICE,
THALAPPALAM VILLAGE, MEENACHIL TALUK
ERATTUPETTA, KOTTAYAM DISTRICT - 688 575.

BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1	TRUE COPY OF THE DOC.NO.2290 OF 2006 OF ERATTUPETTA SRO DATED 19.10.2006.
EXT.P2	TRUE COPY OF DOC.NO.2309 OF 2006 OF ERATTUPETTA SRO DATED 25.10.2006.
EXT.P3	TRUE COPY OF THE TAX RECEIPT NO.3070043 DATED 07.04.2014.
EXT.P4	TRUE COPY OF THE JUDGMENT DATED 21.07.2014 IN R.S.A.NO.779 OF 2014.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE.

ncd

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 35890 of 2015

Dated this the 27th day of November, 2015

JUDGMENT

The petitioner has approached this Court for the following reliefs :

“i) to issue a writ in the nature of mandamus or any other appropriate writ, order or direction, commanding the respondents 2 to 5 to receive and consider the application for correction in the re-survey records, pertaining to the property comprised in Re-sy.No.530/7 and 16.35 Ares in Re-Sy.Nos.530/7-1 and 530/5 pt in Block No.49 of Thalappulam Village in Meenachil Taluk of Kottayam District, within a time frame fixed by this Hon'ble Court;

ii) to issue a writ in the nature of mandamus or any other appropriate writ, order or direction, commanding the respondents 2 to 5 to accept tax for the remaining properties after effecting correction in re-survey records;

iii) to grant such other reliefs as this Hon'ble Court may deem fit and proper to grant in the nature and circumstances of the case.”

2. The petitioner submits that, he made an attempt to file an application for the correction of re-survey records. The Revenue Officials refused to receive the application stating pendency of Civil Suit.

3. This Court is of the view that respondents 2 to 5 shall receive the application and consider the same, after hearing the petitioner as well as persons referred in the Civil Suit. Needful shall be done within a period of three months.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bpr