

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. 35911 of 2015 (L)  
-----

PETITIONERS:  
-----

1. PAULOSE, AGED 65 YEARS,  
S/O.KOCHU VARKEY, EDAPPARA HOUSE,  
ALPARA, KANNARA P.O., THRISSUR DISTRICT.
2. ELIAMMA PAULOSE, W/O.PAULOSE,  
EDAPPARA HOUSE, ALPARA,  
KANNARA P.O., THRISSUR DISTRICT.
3. T.J.VARGHESE, S/O.JACOB,  
THOTTUMALIL PUTHANPARAMBIL HOUSE,  
ALPARA, KANNARA P.O., THRISSUR DISTRICT.
4. SARAMMA VARGHESE, W/O.T.T.VARGHESE,  
THOTTUMALIL PUTHANPARAMBIL HOUSE,  
ALPARA, KANNARA P.O., THRISSUR DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SR.)  
SMT.P.R.REENA

RESPONDENTS:  
-----

1. DISTRICT COLLECTOR,  
COLLECTORATE,  
THRISSUR PIN - 680 003.
2. THE TAHSILDAR, THRISSUR TALUK,  
THRISSUR. PIN - 680 003.
3. VILLAGE OFFICER,  
PEECHI VILLAGE, PEECHI P.O.,  
THRISSUR PIN - 680 653.

BY GOVERNMENT PLEADER SMT. C.K. SHERIN

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 PATTa DATED 20.3.1975 LAND TRIBUNAL
- EXT.P2 : TRUE COPY OF THE BASIC TAX RECEIPT ISSUED TO THE 1ST PETITIONER DATED 27.5.2009
- EXT.P3 : TRUE COPY OF THE BASIC TAX RECEIPT ISSUED TO THE 2ND PETITIONER DATED 15.12.2009
- EXT.P4 : TRUE COPY OF THE BASIC TAX RECEIPT DATED 8.7.2011
- EXT.P5 : TRUE COPY OF REPORT DATED 23.8.2012 FILED BY ADD.TAHSILDAR AS REGARDS 1ST PETITIONER'S PROPERTY.
- EXT.P6 : TRUE COPY OF THE REPORT DATED 5.1.2015 AS REGARDS PROPERTY OF 1ST PETITIONER
- EXT.P6(a) : TRUE COPY OF THE REPORT DATED 5.1.2015 AS REGARDS PROPERTY OF 2ND PETITIONER
- EXT.P7 : TRUE COPY OF THE REPORT DATED 3.3.2015 AS REGARDS THE RESPONDENTS NO.3 AND 4 JOINTLY
- EXT.P8 : TRUE COPY OF RECEIPT DATED 18.11.2015 ISSUED TO THE 1ST PETITIONER
- EXT.P8(a) : TRUE COPY OF RECEIPT DATED 18.11.2015 ISSUED TO THE 2ND PETITIONER
- EXT.P8(b) : TRUE COPY OF RECEIPT DATED 18.11.2015 ISSUED TO THE 3RD PETITIONER

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

**A. MUHAMED MUSTAQUE, J**

-----  
**W.P.(C).No. 35911 of 2015**  
-----

**Dated this the 27<sup>th</sup> day of November, 2015**

**JUDGMENT**

The petitioners approached this Court on account of non-acceptance of basic tax in respect of the properties comprised in Survey Nos.2743 and 2748 of Peechi Village. As seen from Exts.P6 to P8, these properties are excluded from ceiling proceedings under the Kerala Land Conservancy Act.

This Court is of the view that even if the above properties are included in ceiling proceedings, if the petitioners are in possession, the basic tax shall be accepted from the petitioners.

The writ petition is disposed of as above.

Sd/-  
**A. MUHAMED MUSTAQUE**  
**JUDGE**