

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

W.P(C).No. 36950 of 2015 (P)

PETITIONER :

P.A.RAJAN,
S/O AYAPPAN,
AGED 54 YEARS,
PAZHAMANA PARAMBIL VEEDU,
MYTHRI NAGAR ROAD,
VADUTHALA P.O,
ERNAKULAM-682 023.

BY ADV. SRI.G.BHAGAVAT SINGH

RESPONDENTS :

1. THE DISTRICT COLLECTOR,
ERNAKULAM-682 030.
2. THE ADDITIONAL TAHSILDAR,
KANAYANOR TALUK,
TALUK OFFICE,
ERNAKULAM-682 011.
3. THE VILLAGE OFFICER,
CHERANELLOOR,
VILLAGE OFFICE,
SOUTH CHITTOOR,
ERNAKULAM-682 027

BY GOVERNMENT PLEADER : SHRI. BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 07-12-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

bpr

APPENDIX

PETITIONER'S EXHIBITS

- EXT.P1 PHOTO PHOTOCOPY OF THE APPLICATION FILED BY THE
 PETITIONER BEFORE THE 2ND RESPONDENT DATED NIL.
- EXT.P2 PHOTOCOPY OF THE RATION CARD OF THE PETITIONER.
- EXT.P3 PHOTOCOPY OF THE VOTERS IDENTITY CARD ISSUED BY
 THE ELECTION COMMISSION TO THE PETITIONER.
- EXT.P4 PHOTOCOPY OF THE PROPERTY TAX RECEIPT OF THE
 CORPORATION OF KOCHI DATED 30-12-2014.
- EXT.P5 PHOTOCOPY OF THE ELECTRICITY ISSUED BY THE KSEB
 TO THE PETITIONER DATED 11-03-2015.
- EXT.P6 PHOTO COPY OF THE RECEIPT ISSUED BY THE KWA DATED
 17-10-2014.
- EXT.P7 PHOTO COPY OF THE SKETCH PREPARED BY THE
 VILLAGE OFFICER.
- EXT.P8 PHOTO COPY OF THE PATTA ISSUED BY THE
 2ND RESPONDENT TO LORETA GONSAGA DATED 28-01-2009.
- EXT.P9 PHOTOCOPY OF THE REPRESENTATION FILED BY THE
 PETITIONER AND OTHERS BEFORE THE 1ST RESPONDENT
 DATED 01-03-2009

RESPONDENTS EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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A. MUHAMED MUSTAQUE, J

W.P.(C).No. 36950 of 2015

Dated this the 07th day of December, 2015

JUDGMENT

The petitioner is a fisherman, belongs to the poor strata of the society. The petitioner claims that he is in possession of the property referred in the application for assignment by Ext.P1 for last many years. He has constructed the house in the land. Originally, the land was developed for fish farming. He has obtained possession certificate and the Cochin Corporation assigned building number to the house. He has also obtained electricity and water connection.

2. It is submitted that, in spite of these facts, their application for assignment has not been considered by the Revenue Authorities. The petitioner submits that, along with other neighbouring persons, they have also approached the Revenue Officials for assignment. He also refers to the patta issued to certain other persons in the same area.

In view of the facts and circumstances, there shall be a direction to the District Collector, Ernakulam, to take appropriate decision on the application after adverting to the above facts, within a period of three months, after hearing the petitioner.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE
JUDGE

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