

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

WP(C).No. 36962 of 2015 (U)

PETITIONER :

**ABOOBACKER MAULAVI,
S/O. ALIYAR, AGED 52 YEARS,
CHENAKKARA, CHITTAKKUDATHU HOUSE,
ALUVA EAST VILLAGE, ERNAKULAM-683 101.**

**BY ADVS.SRI.PAUL K.VARGHESE
SMT.A.A.GEETHA**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY (REVENUE),
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT COLLECTOR OF ERNAKULAM,
CIVIL STATION, KAKKANAD.P.O., ERNAKULAM-682 030.**
- 3. THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI-682 001.**
- 4. EDATHALA GRAMA PANCHAYATH,
EDATHALA.P.O., ERNAKULAM DISTRICT, PIN-683 561,
REPRESENTED BY ITS SECRETARY.**

R1 TO R3 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

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

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. THE RELEVANT PAGE OF ENCUMBRANCE CERTIFICATE ISSUED FROM THE REGISTRAR'S OFFICE ALUVA IN RESPECT OF THE SAID PROPERTY FOR THE PERIOD 1/1/1967 TO 31/12/1980.
- EXT.P2. A TRUE COPY OF THE ORDER PASSED BY THE ADDITIONAL TAHSILDAR ALUVA DATED 9-5-2013.
- EXT.P3. A TRUE COPY OF THE PROCEEDINGS OF THE DISTRICT COLLECTOR DATED 3-2-2014.
- EXT.P4. A TRUE COPY OF THE PROCEEDINGS OF THE TAHSILDAR ALUVA DATED 7-3-2014.
- EXT.P5. A TRUE COPY OF HEARING NOTE SUBMITTED BY THE PETITIONER BEFORE THE TAHSILDAR ALUVA DATED 7-11-2013.
- EXT.P6. A TRUE COPY OF THE JUDGMENT IN WPC NO. 1467/15 OF THIS HONOURABLE COURT DATED 15-10-2015.
- EXT.P7. A TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE DISTRICT COLLECTOR DATED 12-11-2015.
- EXT.P8. A TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER ALONG WITH APPEAL BEFORE DISTRICT COLLECTOR DATED 12-11-15.
- EXT.P9. A TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE REVENUE DIVISIONAL OFFICER 19-11-2015.
- EXT.P10. A TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER BEFORE REVENUE DIVISIONAL OFFICER DATED 19/11/15.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 36962 of 2015

Dated this the 07th day of December, 2015

JUDGMENT

The petitioner aggrieved by an order passed under the Kerala Land Conservancy Act, has approached the District Collector, Ernakulam, in appeal. Ext.P7 is the appeal. The only relief before this Court is to consider the appeal by the District Collector.

2. Considering the facts and circumstances of the case, there shall be a direction to the District Collector, Ernakulam, to consider the appeal within two weeks, after issuing notice to the petitioner and all concerned. Till a decision is taken by the District Collector, status quo shall be maintained.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE