

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 37005 of 2015 (A)

PETITIONER :

**THE KARNATAKA FRANSALIAN SOCIETY
(REG.NO.83/72-73), VINAYALAYA, P.B.NO.5557
MALLESHWARAM WEST P.O., BANGALORE-560 055
REPRESENTED BY ITS SECRETARY CUM CHIEF FUNCTIONARY
REV.FR.JOSHY PHILIP.**

**BY SENIOR ADVOCATE SRI.GEORGE THOMAS (MEVADA)
BY ADVS.SRI.RAYNOLD FERNANDEZ
SRI.MANU GEORGE KURUVILLA
SRI.AMAL GEORGE**

RESPONDENT(S) :

- 1. THE VILLAGE OFFICER,
KEERAMPARA VILLEGGE OFFICE,
KEERAMPARA P.O., PIN-676 681.**
- 2. THE DEPUTY TAHSILDAR
TALUK OFFICE, KOTHAMANGALAM P.O.,
PIN-686 691.**
- 3. THE ADDL. TAHSILDAR
TALUK OFFICE, KOTHAMANGALAM P.O.,
PIN-686 691.**
- 4. THE TAHSILDAR
TALUK OFFICE, KOTHAMANGALAM P.O.,
PIN-686 691.**

R1 TO R4 BY GOVT. PLEADER SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

WP(C).No. 37005 of 2015 (A)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1.(A). TRUE PHOTOCOPY OF THE ENCUMBRANCE CERTIFICATE
PERTAINING TO THE PROPERTY, COVERING THE PERIOD 1/1/1984 TO
13/11/2015 BEARING NUMBERS 13915/15.
- EXT.P1.(B). TRUE PHOTOCOPY OF THE ENCUMBRANCE CERTIFICATE
PERTAINING TO THE PROPERTY, COVERING THE PERIOD 1/1/1984
TO 13/11/2015 BEARING NUMBER 13916/15.
- EXT.P2.(A). TRUE PHOTOCOPY OF THE APPLICATION SUBMITTED BY THE
PETITIONER WITH THE ENDORSEMENT OF THE 1ST RESPONDENT
DATED 23/2/2015.
- EXT.P2.(B). TRUE PHOTOCOPY OF THE APPLICATION SUBMITTED BY THE
PETITIONER WITH THE EDNORSEMENT OF THE 1ST RESPONDENT
DATED 23/2/2015.
- EXT.P3.(A). TRUE COPY OF THE COMMUNICATION BY THE 3RD RESPONDENT
DATED 11/5/2015.
- EXT.P3.(B). TRUE COPY OF THE COMMUNICATION BY THE 3RD RESPONDENT
DATED 11/5/2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.37005/2015**  
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Dated this the 8th Day of December, 2015

J U D G M E N T

The petitioner purchased a portion of a rubber plantation as per document Nos. P2/2013/328/2015 and P3/2013/329/2015 of SRO Kothamangalam. The petitioner approached the revenue officials for transfer of registry. But it was not acted upon for the reason that the petitioner purchased a portion of exempted land. Exhibits P2(A) and P2(B) are the applications submitted by the petitioner.

2. This Court is of the view that there is no embargo in law to alienate whole or a part of the exempted land under the Kerala Land Reforms Act. Further, transfer of registry is for fiscal purposes. Therefore, the petitioner's applications shall be considered within a period of one month from the date of receipt of copy of this judgment. If there is any violation of in respect of exempted land, the authorities are free to proceed against the property in accordance with law.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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