

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

WP(C).No. 37361 of 2015 (U)

PETITIONERS:-

- 1. ALEYAMMA, W/O.THANKARAJ,
AGED 51 YEARS, KUNJAPPAN CHALLA,
PAMPAMPALLAM P.O., PUDUSSERI EAST VILLAGE,
PALAKKAD TALUK, PALAKKAD DISTRICT.**
- 2. BABY, S/O.POULOSE,
AGED 47 YEARS, KUNJAPPAN CHALLA,
PAMPAMPALLAM P.O., PUDUSSERI EAST VILLAGE,
PALAKKAD TALUK, PALAKKAD DISTRICT.**

BY ADV. SRI.JACOB SEBASTIAN.

RESPONDENTS:-

- 1. THE TAHSILDAR, PALAKKAD, PIN - 678 001.**
- 2. THE VILLAGE OFFICER,
PUDUSSERI EAST VILLAGE,
PALAKKAD DISTRICT, PIN - 678 007.**
- 3. THE DIVISIONAL FOREST OFFICER,
PALAKKAD, PIN - 678 001.**

BY SPL. GOVT. PLEADER (FOREST) SRI.M.P. MADHAVANKUTTY.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1. A TRUE COPY OF THE PURCHASE CERTIFICATE DATED OCTOBER 31, 1978 ISSUED BY THE SPECIAL TAHSILDAR, VESTED FOREST LAND ASSIGNMENT, PALGHAT.
- EXHIBIT P2. A TRUE COPY OF REGISTERED SALE DEED NUMBER 630/1984 OF THE PALAKKAD SRO.
- EXHIBIT P3. A TRUE COPY OF REGISTERED PARTITION DEED NUMBER 689/1997 OF THE PALAKKAD SRO.
- EXHIBIT P4. A TRUE COPY OF THE BASIC TAX PAID RECEIPT DATED 17 FEBRUARY 2006 ISSUED IN THE NAME OF THE 1ST PETITIONER.
- EXHIBIT P5. A TRUE COPY OF THE BASIC TAX PAID RECEIPT DATED JULY 21, 2004 ISSUED IN THE NAME OF THE 2ND PETITIONER.
- EXHIBIT P6. A TRUE COPY OF THE LETTER DATED DECEMBER 3, 2011 ISSUED BY THE ADDITIONAL TAHSILDAR PALAKKAD TO A NEIGHBOUR OF THE PETITIONERS.
- EXHIBIT P7. A TRUE COPY OF THE BASIC TAX PAID RECEIPT DATED JANUARY 28, 2014 ISSUED IN THE NAME OF THE 1ST PETITIONER.
- EXHIBIT P8. A TRUE COPY OF THE POSSESSION CERTIFICATE DATED JANUARY 28, 2014 ISSUED IN THE NAME OF THE 1ST PETITIONER.
- EXHIBIT P9. A TRUE COPY OF THE BASIC TAX PAID RECEIPT DATED JANUARY 28, 2014 ISSUED IN THE NAME OF THE 2ND PETITIONER.
- EXHIBIT P10. A TRUE COPY OF THE POSSESSION CERTIFICATE DATED JANUARY 28, 2014 ISSUED IN THE NAME OF THE 2ND PETITIONER.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 37361 of 2015

Dated this the 17th day of December, 2015

J U D G M E N T

The petitioners have approached this Court aggrieved by the refusal to accept basic tax and to issue possession certificate. The petitioners claim title in respect of the property covered by Ext.P1 purchase certificate dated 31.10.1978 issued by the Special Tahsildar, Vested Forest Land Assignment, Palakkad. The Additional Tahsildar, Palakkad, by Ext.P6 letter, communicated that tax cannot be accepted as it is required to correct the resurvey records.

This Court is of the view that this writ petition can be disposed of directing the Additional Tahsildar, Palakkad to correct the revenue records within a period of two months from the date of receipt of a copy of this judgment; and thereafter, based on the same, basic tax shall be accepted by the 2nd respondent.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bka/17.12.2015