

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C) .No. 38755 of 2015 (T)

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PETITIONER(S) :

RAJU O.K.,  
AGED 42 YEARS, S/O.KURUMBAN,  
ONAMVELI HOUSE, VENGOLA P.O.,  
ARACKAPADY VILLAGE, PERUMBAVOOR, ERNAKULAM DISTRICT.

BY ADVS.SRI.C.A.NAVAS  
SRI.K.T.SASIKUMAR  
SRI.SOLOMAN C.J.  
SRI.AMBILY E.G.  
SRI.ROY VARGHESE

RESPONDENT(S) :

1. THE STATE OF KERALA,  
REPRESENTED BY THE SECRETARY,  
REVENUE DEPARTMENT, GOVERNMENT OF KERALA,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR, COLLECTORATE,  
KAKKANAD, ERNAKULAM, KOCHI-30.
3. THE REVENUE DIVISIONAL OFFICER,  
MUVATTUPUZHA, ERNAKULAM DISTRICT, PIN-68.
4. THE THAHSILDAR,  
KUNNATHUNADU THALUK, THALUK OFFICE, KUNNATHNADU,  
PERUMBAVOOR PIN-683 542.
5. THE VILLAGE OFFICER, ARACKAPADY VILLAGE,  
PERUMBAVOOR, ERNAKULAM DISTRICT, PIN 683 556.

BY GOVERNMENT PLEADER SMT.C.K.SHERIN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT.P1:       PHOTOSTAT COPY OF THE APPLICATION NO.NIL DATED 13.12.2006.

EXT.P1(A):    TYPED COPY OF EXT.P1 APPLICATION FORMAT.

EXT.P2:       PHOTOSTAT COPY OF THE REPORT NO.5/07 DATED 22.02.2007.

EXT.P3:       PHOTOSTAT COPY OF THE REPRESENTATION NO. NIL DATED 27.06.2013.

EXT.P4:       PHOTOSTAT COPY OF THE JUDGMENT DATED 12.06.2013 IN WPC  
NO.14829/2013 OF THE HONOURABLE HIGH COURT OF KERALA

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

ivs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 38755 of 2015

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Dated this the 18<sup>th</sup> Day of December, 2015

J U D G M E N T

The petitioner submits that he has applied for assignment of land as per Ext.P1 application in respect of a land comprised in Re-survey No.436/1 Pt. in Block No.22 of Arckapady Village, Kunnathunad Taluk, Ernakulam District. He seeks for a direction to the respondents not to evict the petitioner from the aforesaid property.

2. This Court is of the view that the petitioner shall not be evicted from the aforesaid property, if he is in occupation of the same. If at all the petitioner has to be evicted, it shall be done only through the process of Land Conservancy Act and Rules.

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

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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