

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 38997 of 2015 (Y)

PETITIONER(S):

**1.SHERIFF A.H AGED 51 YEARS
S/O.HYDROSE, ETTUKATTIL VEEDU, PO. EDATHALA NORTH
ALUVA, ERNAKULAM DIST., PIN 683564**

**BY ADVS.SRI.P.N.SANTHOSH
SMT.K.P.GEETHA MANI
SMT.S.KARTHIKA (K/465/2015)**

RESPONDENT(S):

- 1. THE SUB COLLECTOR/REVENUE DIVISIONAL OFFICER
REVENUE DIVISIONAL OFFICER, FORT KOCHI
ERNAKULAM DISTRICT, PIN 682004**
- 2. THE TAHSILDAR
ALUVA TALUK OFFICE, ERNAKULAM DISTRICT, ALUVA 683101**
- 3. THE VILLAGE OFFICER
ALUVA EAST VILLAGE OFFICE, EDATHALA, ALUVA
PIN 683564**

R BY GOVERNMENT PLEADER C.K.SHERIN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

avk

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : A TRUE COPY OF THE SALE DEED (DOCUMENT NO.2989/2012) DATED 16.08.2012 REGISTERED IN FAVOUR OF THE PETITIONER AT THE OFFICE OF THE SUB REGISTRAR, ALUVA
- P2: A TRUE COPY OF THE LAND TAX RECEIPT DATED 22.12.2012 ISSUED BY THE 3RD RESPONDENT IN RESPECT OF EXT P1 PROPERTY
- P3: A TRUE COPY OF THE SALE DEED (DOCUMENT NO.4562/2014) DATED 20.11.2014 EXECUTED IN FAVOUR OF THE PETITIONER AT THE OFFICE OF THE SUB REGISTRAR, ALUVA
- P4: A TRUE COPY OF THE LAND TAX RECEIPT DATED 24.12.2014 ISSUED BY THE 3RD RESPONDENT IN RESPECT OF EXT P3 PROPERTY
- P5: A TRUE COPY OF THE SELLEMENT DATED 20.12.2014 (DOCUMENT NO.4563/2014) EXECUTED IN FAVOUR OF THE PETITIONER AT THE OFFICE OF THE SUB REGISTRAR, ALUVA
- P6: A TRUE COPY OF THE POSSESSION CERTIFICATE DATED 14.06.2012 ISSUED BY THE 3RD RESPONDENT TO SRI. SIDDIQUE IN RESPECT OF EXT P5 PROPERTY
- P7: A TRUE COPY OF THE REPORT DATED 13.11.2014 SUBMITTED BY 3RD RESPONDENT BEFORE THE 2ND RESPONDENT IN RESPECT OF EXT P1, P3, AND P5 PROPERTIES
- P8: A TRUE COPY OF THE COMMUNICATION DATED 10.12.2015 ISSUED BY THE 2ND RESPONDENT TO THE 1ST RESPONDENT
- P9: A TRUE COPY OF THE JUDGMENT DATED 03.09.2014 IN WPC.NO.21969/2014 OF THIS HON'BLE COURT (REPORTED IN 2014(4) KLT. 602)

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE

avk

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.38997 of 2015

Dated this the 22nd day of December, 2015

JUDGMENT

The petitioner has approached this Court on account of non-acceptance of land tax and also refusal to issue possession certificate. It appears that the proceedings are initiated against the petitioner under the Kerala Conservation of Paddy Land and Wet Land Act, 2008.

This Court is of the view that without prejudice to proceed against the property in accordance with law, the land tax shall be accepted from the petitioner and possession certificate also shall be issued to him.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In