

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

WP(C).No. 39473 of 2015 (H)

PETITIONER:

**MARIAMMA, ARMAMKUZHIYIL,
KOOZHOO, IRAPURAM,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.SHAJI THOMAS
SRI.BINU PAUL
SRI.B.RAJESH (KOTTAYAM)**

RESPONDENT(S):

- 1. TAHSILDAR, KUNNATHUNADU TALUK,
PERUMBAVOOR, PIN - 683 542.**
- 2. VILLAGE OFFICER, VILLAGE OFFICE,
RAYAMANGALAM, PIN - 683 541.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE PHOTOCOPY OF THE SETTLEMENT DEED NO.1228/1/2013 DATED 02.05.2013 OF SUB REGISTRAR OFFICE, KURUPPAMPADY.
- EXT.P2: TRUE PHOTOCOPY OF THE ENCUMBRANCE CERTIFICATE NO.4556/14 DATED 25.08.2014 ISSUED BY THE HEAD CLERK EXERCISING THE POWER OF THE REGISTERING OFFICE.
- EXT.P3: TRUE COPY OF THE TAX RECEIPT DATED 20.08.2014 ISSUED BY THE VILLAGE OFFICE, RAYAMANGALAM.
- EXT.P4: TRUE COPY OF THE TAX RECEIPT DATED 10.08.2015 ISSUED BY THE VILLAGE OFFICE, RAYAMANGALAM.
- EXT.P5: TRUE PHOTO COPY OF THE CASH RECEIPT DATED 26.05.2015 ISSUED AGAINST THE APPLICATION FOR EFFECTING MUTATION OF EXHIBIT P1 PROPERTY.
- EXT.P6: TRUE COPY OF THE APPLICATION DATED 14.07.2015 FILED BEFORE THE 2ND RESPONDENT UNDER RIGHT TO INFORMATION ACT.
- EXT.P7: TRUE COPY OF THE REPLY DATED 04.08.2015 ISSUED BY THE 2ND RESPONDENT UNDER RIGHT TO INFORMATION ACT.
- EXT.P8: TRUE COPY OF THE JUDGMENT DATED 22.09.2015 IN W.P.(C).NO.28614 OF 2015.
- EXT.P9: TRUE COPY OF THE ORDER NO.B6-16208/15 DATED 05.12.2015 ISSUED BY THE ADDITIONAL TAHSILDAR, KUNNATHUNADU TALUK.
- EXT.P10: TRUE COPY OF THE COMMUNICATION DATED 14.12.2015 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.
- EXT.P11: TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.4746 OF 2013 DT. 22.05.2015.
- EXT.P12: TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.25013 OF 2013 DT. 23.10.2013.

RESPONDENT(S)' EXHIBITS:

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.39473 of 2015

Dated this the 23rd day of December, 2015

JUDGMENT

The petitioner approached the second respondent to effect mutation in respect of the property covered by Ext.P1.

In the light of the facts and circumstances, there shall be a direction to the second respondent to complete the exercise after issuing notice to the petitioner and all other affected persons within two months. It is made clear that the pendency of civil suit cannot be a reason to refuse consideration of the application unless the civil court otherwise orders.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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