

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. 39746 of 2015 (P)

PETITIONERS:

-
1. M.C.THOMAS, AGED 77 YEARS
S/O.CHACKO, MANOLIL HOUSE, MALAYIDAM THURUTHU
ALUVA, ERNAKULAM - 683 561.
 2. BIJU THOMAS, AGED 42 YEARS
S/O.M.C.THOMAS, MANOLIL HOUSE, MALAYIDAM THURUTHU
ALUVA, ERNAKULAM - 683 561.

BY ADVS.SRI.D.AJITHKUMAR
SRI.D.JEEVAN

RESPONDENTS:

-
1. THE DISTRICT COLLECTOR, ERNAKULAM - 682 011.
 2. TAHSILDAR,
THALUK OFFICE, KUNNATHUNADU, PERUMBAVOOR - 683 542.
 3. ADDITIONAL TAHSILDAR,
THALUK OFFICE, KUNNATHUNADU, PERUMBAVOOR - 683 542.
 4. VILLAGE OFICER,
VAZHAKKULAM - 686 670.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

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

WP(C).No. 39746 of 2015 (P)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF THE SALE DEED NO.1713/1122ME.

EXT.P2: TRUE COPY OF THE DOCUMENT NO.5004/1997 OF THE S.R.O., PERUMBAVOOR.

EXT.P3: TRUE COPY OF THE DOCUMENT NO.5003/1997 OF THE S.R.O., PERUMBAVOOR.

EXT.P4: TRUE COPY OF THE DOCUMENT NO.3583/09 OF THE S.R.O., PERUMBAVOOR.

EXT.P5: TRUE COPY OF THE LAND TAX RECEIPT DATED 15.5.2013.

EXT.P6: TRUE COPY OF THE LAND TAX RECEIPT DATED 18.4.2015 IN SY.NO.519/4
IN VAZHAKKULAM VILLAGE.

EXT.P7: TRUE COPY OF THE APPLICATION FOR POSSESSION CERTIFICATE THROUGH
ONLINE ON 13.10.2015 SUBMITTED BY 1ST PETITIONER.

EXT.P8: TRUE COPY OF THE POSSESSION CERTIFICATE OF LAND IN SY.NO.519/4
DATED 17/1/2012.

EXT.P9: TRUE COPY OF THE LOCATION SKETCH ISSUED BY THE 4TH RESPONDENT ON
17.8.2009.

EXT.P10: TRUE COPY OF THE ORDER NO.B6.17818/15 DATED 17.12.2015 OF THE 3RD
RESPONDENT.

EXT.P11: TRUE COPY OF THE POSSESSION CERTIFICATE DATED 18.12.2015 ISSUED
BY 4TH RESPONDENT.

EXT.P12: TRUE COPY OF THE CERTIFICATE DATED 19.12.2015 ISSUED BY 4TH
RESPONDENT.

EXT.P13: TRUE COPY OF THE LOCATION SKETCH OF THE PROPERTY ISSUED BY THE
4TH RESPONDENT.

EXT.P14: TRUE COPY OF THE POSSESSION CERTIFICATE TO THE PETITIONERS DATED
11.9.2015.

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A.TO JUDGE

sm

A. MUHAMED MUSTAQUE, J.

W.P.(C).No. 39746 of 2015

Dated this the 23rd day of December, 2015

JUDGMENT

The petitioners have been issued with the possession certificate as per Ext.P14 without referring to Exts.P1 and P3 title deed. Therefore, this Court is of the view that after verifying Exts.P1 and P3, and the same represents the land referred in Ext.P14, the Village Officer shall issue a revised possession certificate to the petitioners within ten days from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bpr

The words “Ext.P14” occurring in the second and fifth lines of the judgment dated 23.12.2015 in W.P.(C).No. 39746/2015 are corrected as “Exhibit P12” as per order dated 08/01/2016 in I.A 157/2016.

Sd/-
Registrar (Judicial)