IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 19TH DAY OF FEBRUARY 2024 / 30TH MAGHA, 1945

WP(C) NO. 35813 OF 2016

PETITIONER:

THRIVIKRAMA KAMMATH
AGED 74 YEARS, S/O MADHAVA KAMMATH,RESIDING AT KOLLAPARAMBU HOUSE, CHUTTUPADUKARA, CHANGAMPUZHA ROAD, EDAPPALLY, ERNAKULAM DISTRICT, PIN:682024.

BY ADVS.
SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH
SRI.M.A.AHAMMAD SAHEER
SMT.K.AASHA

RESPONDENTS:

1 THE ASSISTANT DIRECTOR (RESURVEY)
COLLECTORATE, KAKKANAD, ERNAKULAM, PIN:682030.

2 THE RESURVEY SUPERINTENDENT
OFFICE OF THE RESURVEY SUPERINTENDENT,MINI CIVIL STATION, ALUVA, PIN:683101.

3 SUSEELA PADMANABHA MALLAN
AGED 65 YEARSM, W/O PADMANABHA MALLAN,
RESIDING AT KOLLAPARAMBU HOUSE,
CHUTTUPADUKARA,CHANGAMPUZHA ROAD, EDAPPALLY,
ERNAKULAM DISTRICT, PIN:682024.

4 PADMANABHA MALLAN
AGED 74 YEARS, S/O P.J.NARAYANA MALLAN,RESIDING AT KOLLAPARAMBU HOUSE, CHUTTUPADUKARA,CHANGAMPUZHA ROAD, EDAPPALLY, ERNAKULAM DISTRICT,PIN:682024.

OTHER PRESENT:

SRI RIYAL DEVASSY, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19.02.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.V. KUNHIKRISHNAN, J.

W.P.(C).No.35813 of 2016

Dated this the 19th day of February, 2024

JUDGMENT

The above writ petition is filed with following reliefs:-

I. *Issue a writ of mandamus or other order or direction to the respondents 1 & 2 to consider the application submitted in pursuance of Exhibit P2, and to take appropriate action.*

II. *To pass any order or direction as this Honourable Court deems fit and proper while considering this writ petition.*

2. Heard the learned Counsel for the petitioner and the learned Government Pleader.

3. This writ petition is pending before this Court from 2016 onwards. In such circumstance, this writ petition is need not be retained here. There can be a direction to the 2nd respondent to consider the application submitted by the petitioner as evident by Ext.P2, within a time frame.

4. Therefore, this writ petition is disposed of with the following directions.

I. The 2nd respondent is directed to consider the application submitted by the petitioner as evident by Ext.P2, after giving notice to the petitioner and to the respondent Nos.3&4, as expeditiously as possible, at any rate, within a period of 4 months, from the date of receipt of copy of this Judgment.

II. The petitioner shall produce a certified copy of this Judgment along with a copy of the writ petition with exhibits, before the 2nd respondent, for compliance.

Sd/-

P.V. KUNHIKRISHNAN
JUDGE

S.M.K.

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1:	TRUE COPY OF THE PARTITION DEED NO.3033 OF 1970 OF THE SRO EDAPPALLY.
EXHIBIT P2:	TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT AS ALC NO.31/144/37 DATED 01.08.2016 ISSUED BY THE OFFICE OF THE IST RESPONDENT.
EXHIBIT P3:	TRUE COPY OF THE ORDER IN I.A.NO.7341/2016 IN OS NO.1302/2016 OF THE IST ADDL. MUNSIFF'S COURT, ERNAKULAM.