IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE MR. A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR. JUSTICE S.MANU

FRIDAY, THE 26TH DAY OF JULY 2024 / 4TH SRAVANA, 1946

WA NO. 1055 OF 2024

AGAINST THE JUDGMENT DATED 22.07.2024 IN WP(C) NO.23457 OF 2024 OF HIGH COURT OF KERALA

APPELLANT/PETITIONER:

SURESH KARTHA
AGED 41 YEARS
S/O K.G.B. PILLAI, RESIDING AT VALLOOTHARA HOUSE, VALANJAVATTAM EAST P.O., THIRUVALLA, PATHANAMTHITTA DISTRICT., PIN – 689 104

BY ADVS.
K.SHAJ
AKHILA HUSSAIN Z.
ARCHANA P.P.
ARUN CHAND
BEENA N.KARTHA
BHARAT VIJAY P.
GOPIKA GOPAL
KEVIN JAMES

RESPONDENTS/RESPONDENTS:

1 THE DISTRICT COLLECTOR, PATHANAMTHITTA
DISTRICT COLLECTORATE, 2ND FLOOR, COLLECTORATE RD, CHITTOOR, PATHANAMTHITTA, KERALA, PIN-689645

2 THE TALUK SURVEY OFFICER
THIRUVALLA TALUK, TALUK SURVEY OFFICE, THIRUVALLA, PATHANAMTHITTA ., PIN - 689621

3 THE VILLAGE OFFICER
KADAPRA VILLAGE, THIRUVALLA TALUK, PATHANAMTHITTA, KERALA ., PIN - 689104

4 KADAPRA PANCHAYAT
REPRESENTED BY ITS SECRETARY, KADAPRA PANCHAYAT, THIRUVALLA TALUK, PATHANAMTHITTA, KERALA., PIN - 689104

5 THE SECRETARY, KADAPRA PANCHAYAT
THIRUVALLA TALUK, PATHANAMTHITTA,
KERALA., PIN - 689104

6 TAHSILDAR (LR)
TALUK OFFICE, THIRUVALLA,, PATHANAMTHITTA,
KERALA ., PIN - 689104

7 SHOBHAKUMARI T.R
AGED 65 YEARS, W/O SANJEEV KUMAR NAIR,
VALLOOTHARA HOUSE, VALANJAVATTOM EAST P.O.,
THIRUVALLA., PIN - 689104

BY ADV T.P.PRADEEP

SRI.V. TEKCHAND, SR. GP

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 26.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 26th day of July, 2024

A. Muhamed Mustaque, Acg. C.J.

This appeal has been filed challenging the judgment of the learned Single Judge dated 22.07.2024 dismissing W.P.(C)No.23457 of 2024, which was filed by the appellant against the dismissal of the application submitted by him before the District Collector under Section 13A of the Kerala Survey and Boundaries Act, disputing the resurvey. The District Collector, by proceedings dated 14.02.2024, found that there is absolutely no anomaly existed in the resurvey records and rejected the application.

2. In such circumstances, we don't find any reason to interfere in the matter. However, the appellant is given liberty to approach the civil court in accordance with law.

With the above liberty, the writ appeal is

disposed of. To avail such a benefit before the civil court, we order that coercive steps against the appellant shall be deferred for a period of three months from today.

Sd/-

A. Muhamed Mustaque,
Acting Chief Justice

Sd/-

S. Manu
Judge

vpv