

Thomas Varghese Vs. Additional Tahsildar

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Court : Kerala

Decided On : Oct-07-2013

Judge : Honourable Mr.Justice P.R.Ramachandra Menon

Appellant : Thomas Varghese

Respondent : Additional Tahsildar

Judgement :

IN THE HIGH COURT OF KERALAAT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON MONDAY,THE7H DAY OF OCTOBER201315TH ASWINA, 1935 WP(C).No. 24513 of 2013 (L)
----- PETITIONERS : - ----- 1. THOMAS VARGESE, PAINADATH VEETIL, AZHAKAM.P.O., PIN-MUKKANNOOR VILLAGE.

2. ELSY THOMAS, PAINADATH VEETIL, AZHAKAM.P.O., MUKKANNOOR VILLAGE. BY ADVS.SRI.T.P.SAJAN SRI.M.MOHAMMED NAVAZ SRI.P.SANTHOSH KUMAR (TR) RESPONDENTS : - ----- 1. ADDITIONAL TAHSILDAR, OFFICE OF THE ADDITIONAL THASILDAR, ALUVATALUK, ALUVA, PIN-683101.

2. VILLAGE OFFICER, KARUKUTTY VILLAGE, KARUKUTTY VILLAGE PIN-683576. BY Sr. GOVERNMENT PLEADER SRI. JOSEPH GEORGE THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON0710-2013, THE

COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 24513 of 2013 (L) ----- APPENDIX PETITIONERS' EXHIBITS : -
----- Exhibit P1 : TRUE COPY OF THE TITLE DEED IN RESPECT OF PROPERTY BELONGING TO THE PETITIONERS. Exhibit P2 : TRUE COPY OF THE TAX RECEIPT DATED 11-5-2012 IN RESPECT OF PROPERTY. Exhibit P3 : TRUE COPY OF THE SURVEY MAP NO.A-3430/12 DATED 6-9-12. Exhibit P3a : TRUE COPY OF THE SURVEY MAP NO.A-3430/12 DATED 6-9-2012. Exhibit P4 : TRUE COPY OF THE APPLICATION DATED 19-10-2012. Exhibit P5 : TRUE COPY OF THE REMINDER DATED 15-3-2013. Exhibit P6 : TRUE COPY OF THE REMINDER DATED 15-8-2013. RESPONDENTS' EXHIBITS : - NIL. ----- // TRUE COPY // P.A. TO JUDGE DMR/- P.R.RAMACHANDRA MENON, J.

----- W.P.(c) No. 24513 OF 2013- -----
----- Dated this the 7th day of October, 2013

JUDGMENT

The petitioners have approached this Court with the following prayers : "a) Call for the records leading to Ext.P4 application and Ext.P5 and P6 reminders and issue a writ of mandamus or any other appropriate writ order or direction commanding the 1st respondent to dispose of Ext.P4 application in accordance with law. b) Issue a writ of mandamus or any other appropriate writ order or direction, commanding the first respondent to correct mistake occurred in recording the extent of property of the petitioners in the resurvey records and allow the petitioners to pay tax for an extent of 12.80 Ares of property comprised in resurvey 83/5/1, 83/5/2 and 83/6/1 and 83/6/2 in Block No. 3 of Karukutty village. (c) To grant such other reliefs as are just and proper in the nature of this case. " 2. The learned counsel for the petitioners submits that, the W.P.(C)No.24513/2013 2 only relief sought for is to cause Ext.P4 application preferred by the petitioners to be considered and disposed of within a reasonable time.

3. Heard the learned Government Pleader as well.

4. Considering the limited extent of relief sought for, this Court does not find it necessary to adjudicate the issue on merits. The writ petition is disposed of,

directing the first respondent to consider Ext.P4 and pass appropriate orders, in accordance with law, after giving an opportunity of hearing to the petitioners, at the earliest, at any rate within 'two months' from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of this judgment along with a copy of the writ petition before the first respondent for further steps.
P.R.RAMACHANDRA MENON JUDGE sv. W.P.(C)No.24513/2013 2

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