

**Haridas K. Vs. Tahsildar**

**Haridas K. Vs. Tahsildar**

**SooperKanoon Citation :** [sooperkanoon.com/1097393](http://sooperkanoon.com/1097393)

**Court :** Kerala

**Decided On :** Nov-07-2013

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

**Appellant :** Haridas K.

**Respondent :** Tahsildar

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON THURSDAY, THE 7TH DAY OF NOVEMBER 2013 16TH KARTHIKA, 1935 WP(C).No. 27303 of 2013 (K) ----- PETITIONER(S): ----- HARIDAS K., AGED 42 YEARS S/O.SANKARAN, KURUCHIKKARA HOUSE, AMBALAVATTOM POST PANAMANNA, OTTAPALAM TALUK. BY ADV. SRI.R.SREEHARI. RESPONDENT(S): ----- 1. TAHSILDAR, TALUK OFFICE, OTTAPALAM-679101.

2. THE VILLAGE OFFICER, ANANGANADI VILLAGE, KOTHAKURUSSI POST, OTTAPALAM TALUK-679121.

3. SUNDARAM BNP PARIBAS HOME FINANCE LTD., MANJERI BRANCH, TC3249, 2ND FLOOR, ABOVE SUNDARAM FINANCE, CALICUT ROAD, MANJERI-676121. R3 BY SRI.S.EASWARAN & BY SENIOR GOVERNMENT PLEADER SRI. R.PADMARAJ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 0711-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: rvs/ WP(C).No. 27303 of 2013 (K) APPENDIX PETITIONER(S)' EXHIBITS : ----- EXT. P1: PHOTOCOPY OF DOCUMENT NO.5494/2010 DT.18.11.2010 OF SRO OTTAPALAM. EXT. P2: PHOTOCOPY OF BASIC TAX RECEIPT DATED 16.6.2010 ISSUED BY THE 3D RESPONDENT. EXT. P3: PHOTOCOPY OF THE APPLICATION FOR MUTATION OF THE PROPERTY FILED BEFORE THE 2D RESPONDENT. EXT. P4: PHOTOCOPY OF ACKNOWLEDGEMENT LETTER DT.21.12.2010 ISSUED BY THE 3D RESPONDENT. RESPONDENT(S)' EXHIBITS : ----- NIL. /TRUE COPY/ P.A.TO JUDGE rvs/ P.R. RAMACHANDRA MENON, J.

===== W.P.(C). No. 27303 of 2013  
----- Dated this the 7th day of November, 2013

## JUDGMENT

The grievance of the petitioner is with regard to the lapse on the part of the concerned respondent in acceding to the request for effecting mutation in respect of Ext.P1 title deed. The case of the petitioner is that, ever since the purchase of the property, the petitioner is enjoying the same with absolute ownership, exclusive possession and clear and marketable title also remitting tax as borne by Ext.P2. It was thereafter that Ext.P3 application was submitted before the 2nd respondent to cause mutation to be effected which was not accepted for flimsy reasons and hence the writ petition.

2. The learned counsel for the petitioner submits that, on enquiry made by the petitioner, it is revealed that the refusal to effect mutation by respondents 1 and 2 is with reference to the non production of the original title deed by the petitioner. It is stated that the petitioner has availed some financial assistance from the 3rd respondent and the original of the document is left at the hands of the 3rd respondent. W.P.C. No.27303 of 2013 -2- 3. Sri. S. Easwaran entered appearance for the third respondent and submits that, the third respondent has no objection in producing the original of Ext.P1 for verification by respondents 1 and 2, if so required.

4. Heard the learned Government Pleade as well.

5. In the above facts and circumstances, there will be a direction to the respondents 1 and 2 to finalize the proceedings forming subject matter of Ext.P3 application after conducting verification, if necessary and effect mutation, so as to enable the petitioner to enjoy the property in a better manner. Proceedings as above shall be finalized at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment, which shall be produced by the petitioner along with a copy of the writ petition. The writ petition is disposed of.

P.R. RAMACHANDRA MENON, JUDGE. kp/-

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**