

Ibrahim vs the District Collector,

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Court : Kerala

Decided On : Oct-29-2021

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/23636/2021

Appellant : Ibrahim

Respondent : The District Collector,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN FRIDAY, THE 29TH DAY OF OCTOBER 2021 / 7TH KARTHIKA, 1943 PETITIONER: IBRAHIM AGED 63 YEARS S/O ASSAINAR, PANNIPPALIYALIL, KODUMUNDA, CHERUKUDANGADU, MUTHUTHALA, PATTAMBI TALUK, PALAKKAD DISTRICT. BY ADV P.JAYARAM RESPONDENTS: 1 THE DISTRICT COLLECTOR, CIVIL STATION, PALAKKAD-678001. 2 THE LAND TRIDUNAL/SPECIAL TAHSILDAR, (LAND REFORMS), PATTAMBI, MINI CIVIL STATION, KANNIYAMPURAM, OTTAPALAM-691104. 3 THE VILLAGE OFFICER, MUTHUTHALA VILLAGE OFFICE, P.O.KODUMUNDA-679303. 4 STATE OF KERALA, REPRESENTED BY THE

SECRETARY,DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. OTHER PRESENT: SRI.ASHWIN SETHUMADHAVAN- SR.GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29.10.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner, who is stated to be a senior citizen of over 60 years in age, has approached this Court alleging that, even though a suo motu proceedings has been initiated against him by the 2nd respondent - The Land Tribunal/Special Tahsildar (Land Reforms) and numbered as S.M.No.841 of 2021, further action thereon has not been completed until now. The petitioner, therefore, prays the 2nd respondent be directed to do so and issue appropriate final orders thereon, within a time frame to be fixed by this Court.

2. In response, the learned Senior Government Pleader

Sri. Aswin Sethumadhavan, submitted that, if the suo motu proceedings are still pending against the petitioner, the same²² can be disposed of by the 2 nd respondent, within a period of eight months, taking note of the fact that he is a senior citizen. She, therefore, prayed that this writ petition be ordered only on such terms.

3. When I consider the afore submissions, it is ineluctable² that if S.M.No.841 of 2021 is still pending against the petitioner, then it will require to be disposed of by the 2 nd respondent within a period of eight months, because this is the time frame that has been constantly followed by this Court in

the case of senior citizens. Resultantly, this writ petition is ordered, directing the 2 nd respondent to complete proceedings in S.M.No.841 of 2021, after following due procedure and after affording necessary opportunity of being heard to the petitioner - as also to any other interested/affected persons - thus, culminating in an apposite order thereon, as expeditiously as is possible, but not later than eight

months from the date of receipt of a certified copy of this judgment. Sd/- DEVAN RAMACHANDRAN JUDGE ANB APPENDIX OF WP(C) 23636/2021 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE RECEIPT DATED 29.09.2021

IN SM 841/2021 ISSUED TO THE PETITIONER FROM THE OFFICE OF THE SPECIAL TAHSILDAR(LAND REFORMS), PATTAMBI. Exhibit P2 TRUE COPY OF THE BASIC TAX RECEIPT DATED 24.08.2021 ISSUED TO THE PETITIONER WITH RESPECT TO HIS PROPERTY BEARING RE-SURVEY NO.33/7-1-1,33/7-2 FROM VILLAGE OFFICE,MUTHUTHALA. Exhibit P3 TRUE COPY OF THE POSSESSION CERTIFICATE DATED 25.08.2021 ISSUED TO THE PETITIONER SURVEY NO.33/7-1-1, FROM VILLAGE OFFICE, MUTHUTHALA. Exhibit P4 TRUE COPY OF THE POSSESSION CERTIFICATE DATED 01.09.2021 ISSUED TO THE PETITIONER SURVEY NO.33/7-2, FROM VILLAGE OFFICE, MLUTHUTHALA.

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