

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 31ST MAY 2011 / 10TH JYAISHTA 1933

***WP(C).No. 14598 of 2011(Y)***

-----

PETITIONER:

-----

GOPINATHAN,  
S/O NARAYANAN,  
VAZHAYIL PUTHUPARAMBI,  
NALKALICAL P.O.,  
KIDANGANOOR VILLAGE,  
ARANMULA, PATHANAM THITTA

BY ADV. MR. JACOB P.ALEX  
MR. JOSEPH P.ALEX

RESPONDENTS:

-----

1. THE DISTRICT COLLECTOR,  
OFFICE OF THE DISTRICT COLLECTOR,  
CIVIL STATION, PATHANAMTHITTA,  
PIN 689645
2. THE DEPUTY DIRECTOR OF SURVEY,  
OFFICE OF THE DEPUTY DIRECTOR OF SURVEY,  
PATHANAMTHITTA, PIN 689 645
3. T.M. THOMAS,  
S/O MATHAI, THADATHUKALAYUK HOUSE,  
NALKALICAL P.O., KIDANGANOOR VILLAGE,  
ARANMULA, PATHANAMTHITTA

BY SENIOR GOVERNMENT PLEADER MR. P. N. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/05/2011,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**P.R. RAMACHANDRA MENON J.**

~~~~~  
W.P (C) No. 14598 of 2011  
~~~~~

Dated, this the 31<sup>st</sup> May , 2011

**JUDGMENT**

The petitioner has approached this Court with the following prayers :

- i. Issue a writ in the nature of Mandamus or any other Writ, order or direction commanding the 2<sup>nd</sup> respondent to rectify the mistakes in the re-survey records pertaining to Re-survey No. 454 of Kidanganoor Village in Kozhencherry Taluk*
- ii. Issue a writ in the nature of Mandamus or any other Writ, order or direction commanding the 2<sup>nd</sup> respondent to consider and take appropriate decision in accordance with law on Ext. P3 within a time limit to be fixed by this Hon'ble Court.*
- iii. Issue such other appropriate writ, order or direction as this Hon'ble Court may deem just and fit in the circumstances of the case.*

2. Heard the learned Government Pleader as well.

3. The learned counsel for the petitioner submits that the grievance of the petitioner will be redressed, if a direction is given to the second respondent to pass appropriate orders on Ext. P3, within a reasonable time.

4. Considering the limited nature relief pressed for, this Court does not find it necessary to go into the merits of the case. The Writ Petition is disposed of directing the second respondent to consider and pass appropriate orders on Ext. P3, in accordance with law, after giving an opportunity of hearing to all concerned, including the petitioner as well as the 3<sup>rd</sup> respondent, as expeditiously as possible, at any rate within three months from the date of receipt of a copy of this judgment.

It is made clear that, all the issues are left open to be agitated, including as to the contention with regard to the pendency of the civil suit.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the second respondent for further steps.

**P. R. RAMACHANDRA MENON, JUDGE**

kmd