

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

FRIDAY, THE 30<sup>TH</sup> DAY OF JULY 2021 / 8TH SRAVANA, 1943

WP (C) NO. 7433 OF 2021

PETITIONER:

CICILYAMMA MATHEW,  
AGED 59 YEARS,  
W/O. VARGHESE CHACKO,  
MATHASSERY HOUSE,  
RAJAGIRI P.O.,  
NJALAKAM KARA,  
THRIKKAKARA NORTH VILLAGE,  
KANAYANNUR TALUK,  
NOW AT 82-65, 260TH STREET, GLEN OAKS,  
NEWYORK-11004,  
REPRESENTED BY HER POWER OF ATTORNEY HOLDER  
M.C.JOHN, AGED 60 YEARS,  
S/O. M.K. CHACKO, MATHASSERY HOUSE,  
RAJAGIRI P.O., PIN-683 104  
NJALAKAM KARA,  
THRIKKAKARA NORTH VILLAGE,  
KANAYANNUR TALUK.

BY ADVS.

M.S. UNNIKRISHNAN  
SRI.V.S.SREEJITH  
SRI.K.SUNIL  
SRI.RINU. S. ASWAN  
SMT.M.ARDR A KRISHNAN  
SMT.ALEENA MARIA JOSE  
SMT.SUSAN JACOB (S-3481)

RESPONDENTS:

- 1 REVENUE DIVISIONAL OFFICER,  
FORT KOCHI, PIN-682 001.
- 2 TAHSILDAR,  
KANAYANNUR, PIN-682 313.
- 3 VILLAGE OFFICER,  
ELAMKULAM,  
ERNAKULAM, PIN-682 020.

**ADDL.4 COCHIN MUNICIPAL CORPORATION  
PARK AVENUE ROAD,  
MARINE DRIVE,  
KOCHI-682011  
REPRESENTED BY ITS SECRETARY**

**(ADDL.R4 IS IMPLEADED AS PER ORDER DATED  
05.07.2021 IN IA NO. 2/2021 IN WPC NO.  
7433/2021.)**

**BY ADV. SOBHAN GEORGE  
GOVERNMENT PLEADER SRI. MANU RAJ**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 30.07.2021, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:**

## **JUDGMENT**

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***Dated this the 30<sup>th</sup> day of July, 2021***

Petitioner, who is the owner of certain extent of property in Elamkulam Village of Ernakulam District, has filed this writ petition seeking to direct the 1<sup>st</sup> respondent to consider and pass orders on Ext.P6 petition as the property is covered by Elamkulam North Housing Scheme (Kumaranasan Nagar Housing Scheme).

2. The petitioner has submitted Ext.P6 petition before the 1<sup>st</sup> respondent-RDO seeking to change the nature of her land in revenue records, as early on 04.01.2021. When this writ petition came up for hearing today, the learned Government Pleader submitted that the RDO may be directed to consider Ext.P6 petition in accordance with law and take a decision in the matter within a period of six weeks.

Accordingly, the writ petition is disposed of directing the 1<sup>st</sup> respondent to consider Ext.P6 petition and dispose of the same in accordance with law, within a period of six weeks after granting an opportunity of hearing to the petitioner. The RDO will be at liberty to resort to virtual mode for hearing the petitioner if situation so warrants.

Sd/-  
**N. NAGARESH, JUDGE**

aks/03.08.2021

APPENDIX OF WP(C) 7433/2021

PETITIONER'S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE SALE DEED NO.5478 OF 2007 OF S.R.O., ERNAKULAM DATED 5.7.2007.
EXHIBIT P2	TRUE COPY OF THE GIFT DEED NO.3802 OF 2013 DATED 23.9.2013.
EXHIBIT P3	TRUE COPY OF THE TAX PAID RECEIPT DATED 12.8.2020 ISSUED BY VILLAGE OFFICE, ELAMKULAM.
EXHIBIT P4	TRUE COPY OF THE LAND IDENTIFICATION DETAILS ISSUED BY KRISHI BHAVAN, VYTTILA.
EXHIBIT P5	TRUE COPY OF THE LOCATION SKETCH DATED 11.11.2020 ISSUED BY VILLAGE OFFICER, ELAMKULAM.
EXHIBIT P6	TRUE COPY OF THE PETITION SENT BY THE PETITIONER TO THE 1ST RESPONDENT DATED 4.1.2021.
EXHIBIT P7	TRUE COPY OF THE TRACK CONSIGNMENT REPORT REGARDING ACCEPTANCE OF EXT.P6.
EXHIBIT P8	TRUE COPY OF THE REMINDER SUBMITTED BY THE 1ST RESPONDENT DATED 17.2.2021.
EXHIBIT P9	TRUE COPY OF THE RECEIPT ISSUED FROM THE OFFICE OF THE 1ST RESPONDENT DATED 17.2.2021.
EXHIBIT P10	TRUE COPY OF THE NOTIFICATION REGARDING RELAXATION IN THE MATTER OF PAYMENT OF FEE FOR REGULARIZATION OF THE NILAM ISSUED GOVERNMENT OF KERALA DATED 25.2.2021.