

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

FRIDAY, THE 31ST DAY OF MAY 2024 / 10TH JYAISHTA, 1946

WP(C) NO. 24711 OF 2016

PETITIONER:

MOLLY

AGED 55 YEARS

W/O.P.J.ANTONY, AGED 55, HOUSE NO.16, PUTHUKERIL HOUSE,
PULIYUR GARDENS, NALANCHIRA, THIRUVANANTHAPURAM.

BY ADV SRI.THOUFEEK AHAMED

RESPONDENTS:

1 INSPECTOR GENERAL OF REGISTRATION THIRUVANANTHAPURAM
695 001.

2 DEPUTY INSPECTOR GENERAL OF REGISTRATION
THIRUVANANTHAPURAM 695 001.

3 DISTRICT REGISTRAR GENERAL
THIRUVANANTHAPURAM 695 001.

4 SOJA LEONES
W/O.JOYKUTTY, RESIDING AT JEEVAN NIVAS, NAGAR LANE,
NALANCHIRA P.O., KUDAPPANAKKUNNU VILLAGE,
THIRUVANANTHAPURAM 695 034.

BY ADVS.

SMT.V.BEENA

SMT.V.DEEPA

SRI.R.SURAJ KUMAR

SRI.SUNIL J.CHAKKALACKAL

SMT.N.G.SINDHU

OTHER PRESENT:

SRI.RIYAL DEVASSY, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31.05.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.V.KUNHIKRISHNAN,J.

W.P (C) No.24711 of 2016

Dated this the 31st day of May, 2024

JUDGMENT

This writ petition is filed with the following prayers:-

"i) To call for the records leading to Ext.P2 and to quash the same by issuing a writ of certiorari.

ii) such other reliefs and this Hon'ble Court may deem fit."
(SIC)

2. The petitioner is aggrieved by Ext.P2 order which is passed by the 2nd respondent based on the report from the 3rd respondent. The main grievance of the petitioner is that this order is passed without giving an opportunity of hearing to the petitioner. As per the impugned order, the name of the petitioner was deleted from the filing sheet of the sale deed No.212/1996 of SRO, Pattom which were maintained in the office of the Sub Registrar, Pattom in the regular post on the complaint filed by the 4th respondent alleging that her name was mentioned in the original of the aforesaid deed.

3. Heard the counsel for the petitioner, the Government pleader and the counsel appearing for the 4th respondent.

4. After hearing both sides, I am of the considered opinion that the impugned orders is to be set aside and the matter is to be reconsidered by the 1st respondent because the impugned order is passed without hearing the petitioner after adverting his contentions. Several contentions are raised in this writ petition. Hence, an opportunity of hearing should be given to the petitioner. Therefore, I am of the considered opinion that the impugned order can be set aside for reconsideration.

Therefore, this writ petition is disposed of with the following directions:-

- 1) Ext.P2 is set aside.
- 2) The 1st respondent is directed to reconsider the matter, after giving an opportunity of hearing to the petitioner and the 4th respondent, as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment.

Sd/-
P.V.KUNHIKRISHNAN
JUDGE

APPENDIX OF WP(C) 24711/2016

PETITIONER EXHIBITS

EXT.P1	TRUE COPY OF SALE DEED NO.212/1996 OF SUB REGISTRY OFFICE, PATTOM DATED 15/1/1996.
EXT.P2	TRUE COPY OF SALE DEED NO.212/1996 OF SUB REGISTRY OFFICE, PATTOM DATED 15/1/1996.
EXT.P3	TRUE COPY OF ORDER NO.L1-29631/2013 DATED 7/1/2015 ISSUED BY THE 2ND RESPONDENT DATED 15/7/2015
EXT.P4	TRUE COPY OF LETTER NO.RTI REG-17062/2015 ATED 1/8/2015 ISSUED BY STATE PUBLIC INBFORMATION OFFICER OF 2ND RESPONDENT
EXT.P5	TRUE COPY OF REPRESENTATION FILED BY PETITIONER ALONG WITH HER HUSBAND BEFORE THE 1ST RESPONDENT
EXT.P6	TRUE COPY OF LETTER NO.RIA/03-15-16 DATED 24/8/2015 FROM STATE PUBLIC INFORMATION OFFICER OF PRINCIPAL SUB TREASURY, THIRUVANANTHAPURAM.