

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

FRIDAY, THE 25TH DAY OF MARCH 2022 / 4TH CHAITHRA, 1944

WP(C) NO. 8338 OF 2022

PETITIONER:

APPU
AGED 71 YEARS
KOLLARMADAM PADANNA PARAMBA, DUTT SAW MILL ROAD,
KALLAI, KOZHIKODE-3, PANIYANKARA AMSOM DESOM, KOZHIKODE
TALUK, KOZHIKODE DISTRICT PIN 673 003, PIN - 673003

BY ADVS.
NIRMAL.S
VEENA HARI
RIA ELIZABETH JOSEPH
IRENE ELZA SOJI
K. REMIYA RAMACHANDRAN
ANJANA A.

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695 001.,
PIN- 695001.
- 2 THE LAND TRIBUNAL (LR), KOZHIKODE- 673 001.,
PIN - 673001

OTHER PRESENT:

SMT.MABLE.C.KURIAN.SR.G.P.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25.03.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The singular request of the petitioner is that 2nd respondent be directed to dispose of O.A.No.1139/1990, within a time frame to be fixed by this Court, adverting to Exts.P6 and P7 circulars.

2. The learned Senior Government Pleader – Smt.Mable C.Kurian, however, opposed the afore request of Sri.S.Nirmal – learned counsel for the petitioner, saying that even though O.A.No.1139/1990 can be disposed of without avoidable delay, the impact of Exts.P6 and P7 may not be spoken about by this Court affirmatively, since same has been challenged by certain other persons.

3. When I consider the afore submissions, it is indubitable that this Court cannot direct the 2nd respondent to dispose of O.A.No.1139/1990 in any particular manner. All which this Court can do in to direct the said Tribunal to

advert to Exts.P6 and P7, while the said exercise is completed.

Resultantly, I order this writ petition and direct the 2nd respondent to dispose of O.A.No.1139/1990, as expeditiously as is possible, adverting to Exts.P6 and P7, after affording an opportunity of being heard to the petitioner; thus culminating in an appropriate order and necessary action thereon, as expeditiously as is possible, but not later than six months from the date of receipt of a copy of this judgment.

Sd/-

**DEVAN RAMACHANDRAN
JUDGE**

ANB

APPENDIX OF WP (C) 8338/2022

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY OF ORDER OF LAND TRIBUNAL, KOZHIKODE DATED 17/2/2001 ALONG WITH TYPED COPY
Exhibit P2	TRUE COPY OF THE PURCHASE CERTIFICATE
Exhibit P3	TRUE COPY OF THE REVENUE INSPECTION REPORT AND SKETCH
Exhibit P4	TRUE COPY OF ORDER DATED 24/2/2005
Exhibit P5	TRUE COPY OF THE NOTICE DATED 23/1/2019
Exhibit P6	TRUE COPY OF THE CIRCULAR NO.LB/E11-8498/2005 DATED 16/07/2020
Exhibit P7	TRUE COPY OF LETTER NO.LB/E11-8498/2005 DATED 13/08/2020 ISSUED BY THE SECRETARY, LAND BOARD