



2024:KER:73522

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**THURSDAY, THE 3<sup>RD</sup> DAY OF OCTOBER 2024 / 11TH ASWINA, 1946**

**WP(C) NO. 41303 OF 2023**

**PETITIONER:**

**JOSEPHINA,  
AGED 57 YEARS  
W/O. JOHNY, CHEERAN HOUSE, PERAKAM VILLAGE, CHAVAKAD  
TALAU, THRISSUR, PIN - 680 506.**

**BY ADVS.  
SIRAJ KAROLY  
MOHAMMED SHAD K.A.**

**RESPONDENTS:**

- 1 THE SUB COLLECTOR( SUB DIVISIONAL MAGISTRATE) THRISSUR  
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (REVENUE  
DIVISIONAL OFFICE, THRISSUR)- 680 003.**
- 2 THE DISTRICT COLLECTOR THRISSUR,  
AYYANTHOLE, THRISSUR DISTRICT, PIN - 680 003.**
- 3 SR SLIBY PAUL,  
CONCILIATION OFFICER, (MAINTENANCE TRIBUNAL, UNDER THE  
PROVISIONS OF OFFICE OF THE MAINTENANCE AND PROTECTION  
OF SENIOR CITIZEN PROTECTION ACT, 2007, OFFICE OF THE  
SUB DIVISIONAL MAGISTRATE [SUB COLLECTOR],  
PIN - 680 003.**
- 4 JOHNY,  
AGED 67 YEARS  
S/O ANTHONY, CHEERAN HOUSE, PERAKAM VILLAGE, CHAVAKAD  
TALAU, THRISSUR DISTRICT-680 506.**



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**5 STATE OF KERALA,  
REPRESENTED BY GOVERNMENT PLEADER , SOCIAL  
WELFARE DEPARTMENT GOVERNMENT SECRETARIAT,  
TRIVANDRUM,HIGH COURT OF KERALA, PIN - 682 031.**

**BY ADVS.**

**GIBI.C.GEORGE**

**BINU PAUL (NETTOOR)**

**S. GOPINATHAN, SENIOR GOVERNMENT PLEADER.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 03.10.2024, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:**



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**DINESH KUMAR SINGH, J.****W.P.(C) No. 41303 of 2023**Dated this the 3<sup>rd</sup> day of October, 2024**JUDGMENT**

1. The present writ petition has been filed for the following reliefs;

1. Issue a writ of certiorari, or any other appropriate order or direction and call for the records leading to Exhibit P4 memorandum of settlement dated 28.11.2023 prepared by the 3<sup>rd</sup> respondent and submitted before the 1<sup>st</sup> respondent.

2. Issue a writ of mandamus or any other writ, order, or direction, commanding the 1<sup>st</sup> respondent to provide an opportunity to the petitioner as sought in Exhibit P5 representation dated 04.12.2023.

3. Issue such other order deems fit in the interest of justice.

2. The learned Counsel for the petitioner submits that in view of the subsequent order dated 11.12.2023 passed by the 1<sup>st</sup> respondent, nothing survives in this writ petition.



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3. In view thereof, the present writ petition is hereby closed as having been rendered infructuous by efflux of time.

**Sd/-  
DINESH KUMAR SINGH  
JUDGE**

Svn



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**APPENDIX OF WP(C) 41303/2023****PETITIONER'S EXHIBITS**

<b>EXHIBIT P1</b>	<b>TRUE COPY OF PETITION FILED BY THE 4TH RESPONDENT DATED 23.08.2023.</b>
<b>EXHIBIT P2</b>	<b>TRUE COPY OF THE SETTLEMENT DEED NUMBER 279/2016 DATED 22.02.2016.</b>
<b>EXHIBIT P2a</b>	<b>TRUE COPY OF THE SETTLEMENT DEED NUMBER 280/2016 DATED 22.02.2016.</b>
<b>EXHIBIT P3</b>	<b>TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER'S SON: 22.11.2023.</b>
<b>EXHIBIT P4</b>	<b>PHOTOSTAT COPY OF THE MEMORANDUM OF SETTLEMENT PREPARED BY THE 3RD RESPONDENT: 28.11.2023.</b>
<b>EXHIBIT P5</b>	<b>TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER DATED 04.12.2023.</b>
<b>Exhibit P6</b>	<b>TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P1 DATED 23.08.2023.</b>
<b>Exhibit P7</b>	<b>TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P2 DATED 22.02.2016.</b>
<b>Exhibit P7a</b>	<b>TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P2A DATED 22.02.2016.</b>
<b>Exhibit P8</b>	<b>TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P3 DATED 22.11.2023.</b>