ITEM NO.25 COURT NO.15 SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 10595/2022

[Arising out of impugned final judgment and order dated 01-12-2021 in RSA No. 877/2008 passed by the High Court of Kerala at Ernakulam]

P.T. THOMAS DEAD THR. LRS. Petitioner(s)

VERSUS

ASSISTANT DIRECTOR,SURVEY AND LAND RECORDS & ORS. Respondent(s)

Date : 28-11-2024 These matters were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. John Mathew, AOR

For Respondent(s) Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. A. Hariprasad, Sr. Adv.
Mr. T. G. Narayanan Nair, AOR
Ms. Swathi H Prasad, Adv.
Ms. Samyuktha H Nair, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Having heard the learned counsel appearing for the parties and

having gone through the materials on record, we find no error not to speak any error of law in the impugned order of the High Court.

2. However, we take notice of para 44 of the impugned order. Para 44 of the impugned order passed by the High Court reads as under:-

> "44. The learned counsel for defendant No.5/respondent No.5 submitted that defendant No.5 may be given the liberty to redress his grievance if the extent of the land in his possession is found to be less than the extent shown in Ext.A4 title deed. Needless to say, defendant No.5 is at liberty to redress his grievances in accordance with law if a cause of action arises.
>
> The Regular Second Appeal is allowed as above. The parties are directed to bear their respective costs."

3. It is needless to reiterate once again that it will be open for the petitioner(s) herein original-defendant no. 5 to redress his grievance before the appropriate authority in accordance with law.

4. The Special Leave Petition is, accordingly, dismissed.

5. Pending application(s), if any, stand disposed of.

(CHANDRESH)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)