



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

TUESDAY, THE 25TH DAY OF FEBRUARY 2025 / 6TH PHALGUNA, 1946

WP(C) NO. 5585 OF 2025

PETITIONER:

PURUSHOTHAMAN NAIR
AGED 64 YEARS
S/O GOPALA PILLAI, KADINJILIKATTU HOUSE,
VARAVUKADU, VANDANMEDU, IDUKKI, PIN - 685 551

BY ADVS.
SRI.K.C.VINCENT
SRI.JOSEPH JOHN

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY DEPARTMENT OF REVENUE,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001
- 2 THE DISTRICT COLLECTOR
IDUKKI, COLLECTORATE, PAINAVU, PIN - 685 603
- 3 THE TAHSILDAR (LAND RECORDS)
TALUK OFFICE, THODUPUZHA, IDUKKI, PIN - 685 584
- 4 THE VILLAGE OFFICER
VILLAGE OFFICE, MUTTOM P.O., THODUPUZHA,
IDUKKI, PIN - 685 587

SMT. DEEPA NARAYANAN. SR. GP.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25.02.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



T.R.RAVI.J

WP(C) No.5585 of 2025

Dated this the 25th day of February, 2025

JUDGMENT

The prayer in the writ petition is for a direction to respondents 3 and 4 to pass orders on the application for mutation without insisting on any orders under the Kerala Land Reforms Act, 1963.

2. The petitioner had purchased a total extent of 13.96 Ares including 07.08 Ares of properties with a Hotel established therein comprised in Re.Sy.No.19/2/2 and 06.88 Ares in 19/2/1 in Block No.17 of Muttom Village in Thodupuzha Taluk, which was part of the Malankara Estate. It is submitted that mutation is being delayed stating that a clarification is required under the Kerala Land Reforms Act, 1963.

3. It is settled law that mutation cannot be



denied merely for the fact that the properties involved are lands exempted under Section 81 of the Kerala Land Reforms Act.

4. In the above circumstances, this writ petition is disposed of directing respondents 3 and 4 to effect mutation of the properties made mention in Exts.P6 and P7 communications, in favour of the petitioner, at the earliest, at any rate within two months from the date of receipt of a copy of this judgment. Needless to say, effecting of mutation or payment of tax will not lend title to the person who is remitting the tax or the person in whose name the mutation is effected and it is only for fiscal purposes.

Sd/-

T.R.RAVI
JUDGE



APPENDIX OF WP(C) 5585/2025

PETITIONER'S EXHIBITS

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| Exhibit P1 | A TRUE COPY OF THE SALE DEED NO.528/I/2024 OF S.R.O. ARAKKULAM DATED 16.08.2024 |
| Exhibit P2 | A TRUE COPY OF THE LAND TAX RECEIPT DATED 13.05.2024 IN RELATION TO 07.08 ARES COMPRISED IN RE-SURVEY NO. 19/2/2 ISSUED IN THE NAME OF PRINCE MATHEW |
| Exhibit P3 | A TRUE COPY OF THE LAND TAX RECEIPT DATED 13.05.2024 IN RELATION TO 06.88 ARES COMPRISED IN RE-SURVEY NO. 19/2/1 ISSUED IN THE NAME OF PRINCE MATHEW AND SHINY PRINCE |
| Exhibit P4 | A TRUE COPY OF THE LAND USE CERTIFICATE ISSUED BY THE MUTTOM GRAMA PANCHAYAT DATED 04.02.2013 |
| Exhibit P5 | A TRUE COPY OF THE OWNERSHIP CERTIFICATE ISSUED BY THE MUTTOM GRAMA PANCHAYAT DATED 27.12.2018 |
| Exhibit P6 | A TRUE COPY OF THE COMMUNICATION DATED 15.01.2025 SENT BY THE 4TH RESPONDENT TO THE PETITIONER INTIMATING SUBMISSION OF REPORT TO THE 3RD RESPONDENT |
| Exhibit P7 | A TRUE COPY OF THE COMMUNICATION DATED 16.01.2025 RECEIVED BY THE PETITIONER FROM THE 3RD RESPONDENT |
| Exhibit P8 | A TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.A. NO. 1305 OF 2020 AND CONNECTED CASES DATED 09.01.2025 |