

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

CIVIL APPEAL NO(s). 4526 OF 2006

ARIMATTOMVAYAL ULAHANNAN

Appellant (s)

VERSUS

TALUK LAND BOARD,BADAGARA & ORS.

Respondent(s)

(With office report )

Date: 20/01/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s)

Mr. K.V. Viswanathan, Sr. Adv.  
Mr. K. Rajeev,Adv.  
Mr. Abhishek Kaushik, Adv.

For Respondent(s)

Mr. C.S. Rajan, Sr. Adv.  
Mr. R. Sathish, Adv.  
Ms. Geetha, Adv.

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

The Appeal is allowed.

( Rajesh Dham )  
Court Master

( Indu Satija )  
Court Master

(signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISIDICIION

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O R D E R

Heard learned counsel for the parties.

This Appeal, by special leave, has been filed against  
the impugned judgment of the High Court of Kerala dated  
06.01.2005 passed in R.P. No. 193 of 1997 in C.R.P. 1442 of

1982.

The facts have been set out in the impugned judgment and hence we are not repeating the same here.

It appears that two brothers of the appellant, namely, Abraham and Chacko, got their land excluded from the ceiling proceedings. In the partition the appellant has got his portion of land which he is cultivating. Accordingly, the appellant should be entitled to the same benefit as his brothers received and the same relief as his brothers were given should be given to the appellant. We order accordingly.

:1:  
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In the result, this Appeal succeeds and it is allowed accordingly. The impugned judgment of the High Court is set aside. No costs.

.....J.  
(MARKANDEY KATJU)

.....J.  
(GYAN SUDHA MISRA)

NEW DELHI;  
JANUARY 20, 2011.

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