

Kerala High Court

Ammini Varghese vs State Of Kerala on 11 August, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 22741 of 2009(K)

1. AMMINI VARGHESE, AGED 54 YEARS,
... Petitioner

Vs

1. STATE OF KERALA, REPRESENTED BY THE
... Respondent

2. THE DEPUTY DIRECTOR, SURVEY AND RECORDS,

For Petitioner : SRI.P.HARIDAS

For Respondent : No Appearance

The Hon'ble MR. Justice V.GIRI

Dated : 11/08/2009

O R D E R

V.GIRI, J.

W.P (C) No.22741 of 2009

Dated this the 11th August, 2009

J U D G M E N T

Petitioner claims to be in possession and ownership of 10.71 cents of property comprised in Re.Sy.No291/8 of Peringara Village. According to her, there is a footpath on the northern side of the property having an average width of 2 feet leading to her residential property. She has sought for correction of resurvey plan and apparently a request has been made in the wake of an order passed by the Civil Court rejecting the claim of the petitioner in relation to pathway situated on the northern side of the property. Ext.P1 is pending orders and this writ petition has been filed seeking appropriate direction in relation to Ext. P1. Second respondent shall consider whether Ext.P1 is maintainable and if it is maintainable then notice shall be issued to the opposite parties in the suit

filed by the petitioner in O.S 543/2003 and 544/2003 before the Munsiff's Court, Thiruvalla. Thereafter a decision shall be taken on Ext.P1 after hearing such opposite parties in O.S W.P (C) No.22741 of 2009 543/2003 and 544/2003 within a period of two months from the date of receipt of a copy of this judgment Writ petition is disposed of as above.

(V.GIRI,JUDGE) ma W.P (C) No.22741 of 2009 W.P (C) No.22741 of 2009