



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

WEDNESDAY, THE 20<sup>TH</sup> DAY OF NOVEMBER 2024 / 29TH

KARTHIKA, 1946

WP(C) NO. 30935 OF 2024

PETITIONERS:

- 1 A.SEbastian, AGED 70 YEARS  
S/O.ANTONY SALOM, SARK-B.32, KUNDAMONBHAGAM.  
PEYAD P.O., THIRUVANANTHAPURAM, PIN - 695573
- 2 J.MALLIKA, AGED 62 YEARS  
W/O. A.SEbastian SALOM, SARK-B.32,  
KUNDAMONBHAGAM. PEYAD P.O.,  
THIRUVANANTHAPURAM, PIN - 695573

BY ADVS. D.SAJEEV  
LIGEY ANTONY

ESPONENTS:

- 1 THE DISTRICT COLLECTOR  
OFFICE OF THE DISTRICT COLLECTOR, CIVIL  
STATION, KUDAPPANAKUNNU.P.O.,  
THIRUVANANTHAPURAM, PIN - 695043
- 2 THE TAHASILDAR (LR), TALUK OFFICE, MINI CIVIL  
STATION, KATTAKADA.P.O., THIRUVANANTHAPURAM,  
PIN - 695572
- 3 THE VILLAGE OFFICER, VILAVOORKKAL VILLAGE  
OFFICE, KATTAKADA, THIRUVANANTHAPURAM, PIN -  
695571

Smt.VIDYA KURIAKOSE, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 20.11.2024, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:



## **JUDGMENT**

The petitioners claim to be the owners in possession of 36 cents of land in Re-Sy.No.180/1 of Vilavoorkkal Viillage, Kattakkada Taluk. The property has been mutated in the name of the petitioners and they have been paying tax till 2022. However, according to the petitioners, the 3<sup>rd</sup> respondent refused to accept tax for the year 2023 stating that there occurred some mistake in the thandaper account. Though the petitioners made a request to rectify the defect in the thandaper account, it was rejected as per Ext.P10. The petitioners have approached this Court challenging Ext.P10 and to allow the petitioners to remit the tax in respect of 31 cents of land.

2. I have heard the learned counsel for the petitioners and the learned Government Pleader.

3. The 2<sup>nd</sup> respondent has filed a statement. In paragraph 4 of the statement, the 2<sup>nd</sup> respondent has stated that the property in question is in the exclusive possession of the petitioners. But it was mistakenly entered in RELIS (Revenue E Service Portal) to five other thandaper holders while entering Village data and this could only be



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rectified in correcting the online data by cancelling all the five wrong entries/thandaper holders. Hence, the 2<sup>nd</sup> respondent is directed to restore the original thandaper account to the petitioners and to accept tax from them, within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

**DR. KAUSER EDAPPAGATH**

**JUDGE**

kp



APPENDIX OF WP(C) 30935/2024

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE TAX RECEIPT DATED 17.06.2019 IN RESPECT OF THE PROPERTY COMPRISED IN RE-SY.NO.180/9 OF VILAVOORKAL VILLAGE
- Exhibit P2 TRUE COPY OF THE TAX RECEIPT DATED 07.09.2020 IN RESPECT OF THE PROPERTY COMPRISED IN RE- SY.NO.180/9 OF VILAVOORKAL VILLAGE HAVING AN EXTENT OF 12.50 ARES
- Exhibit P3 TRUE COPY OF THE TAX RECEIPT DATED 13.09.2021 IN RESPECT OF THE PROPERTY COMPRISED IN RE-SY.NO.180/9 OF VILAVOORKAL VILLAGE HAVING AN EXTENT OF 12.50 ARES
- Exhibit P4 TRUE COPY OF THE REPORT DATED 20.10.2022 ISSUED BY THE 3 RD RESPONDENT TO THE 2 ND RESPONDENT
- Exhibit P5 TRUE COPY OF THE REPORT DATED 31.01.2024 SUBMITTED BY THE TALUK SURVEYOR BEFORE THE 2 ND RESPONDENT
- Exhibit P6 TRUE COPY OF THE COMPLAINT DATED 22.12.2023 FILED BY THE PETITIONER BEFORE THE NAVA KERALA SADAS
- Exhibit P7 TRUE COPY OF THE LETTER DATED 13.02.2024 ISSUED BY THE 2 ND RESPONDENT TO THE PETITIONER
- Exhibit P8 TRUE COPY OF THE LEGAL OPINION DATED 20.06.2024 GIVEN BY THE DISTRICT GOVERNMENT PLEADER TO THE 2 ND RESPONDENT
- Exhibit P9 TRUE COPY OF THE COMPLAINT 01.07.2024 FILED BY THE 1 ST PETITIONER BEFORE THE ADALATH



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**Exhibit P10**

**TRUE COPY OF THE ORDER NO.TLK-  
KTDA/1/2023-G1 DATED 09.07.2024 OF  
THE 2 ND RESPONDENT**

**RESPONDENT ANNEXURES**

**Annexure R2(a)**

**List of thandapper Holders in Sy.No  
180/2 which are wrongly entered in  
Sy.No 180/9**