



W,P(C) No.28418 of 2024



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2026:KER:5736

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN

THURSDAY, THE 22ND DAY OF JANUARY 2026 / 2ND MAGHA, 1947

WP (C) NO. 28418 OF 2024

PETITIONERS:

- 1 VAHAB M.M
AGED 58 YEARS
S/O. MAHAMOOD, VADAKKEMANGATT HOUSE,
THEKKUMBHAGOM P.O, PARAVUR,
KOLLAM DISTRICT, PIN - 691319
- 2 NIHAS M.M
AGED 53 YEARS
S/O. MAHAMOOD, VADAKKEMANGATT HOUSE,
THEKKUMBHAGOM P.O, PARAVUR,
KOLLAM DISTRICT, PIN - 691319
- 3 SINUMON. M
AGED 44 YEARS
S/O. MUHAMMED NOOHU, VADAKKEMANGATT HOUSE,
THEKKUMBHAGOM P.O, PARAVUR,
KOLLAM DISTRICT, PIN - 691319

BY ADV. SHRI. RAJ CAROLIN V.

RESPONDENTS:

- 1 THE TAHSILDAR- LAND RECORDS
TALUK OFFICE, KOLLAM DISTRICT, PIN - 691001
- 2 THE VILLAGE OFFICER
KOTTAPPURAM VILLAGE, KOLLAM TALUK,
THEKKUMBHAGOM P.O, KOLLAM DISTRICT, PIN - 691319.



W,P(C) No.28418 of 2024



.2.

2026:KER:5736

BY ADV.SRI.AJITH VISWANATHAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22.01.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:





JUDGMENT

The petitioners are aggrieved by the inaction in effecting transfer of registry in their name pursuant to Ext.P3 settlement deed.

2. Heard the learned counsel for the petitioners and the learned Government Pleader. Perused the records.

3. It is noticed that transfer of registry has already been effected in the name of one Sinumon based on possession only, in terms of Rule 28 of the Transfer of Registry Rules, 1966. As a matter of fact, the same was done pursuant to the directions of this Court in W.P.(C) No.37954/2023. Now, the petitioners' claim that the said Sinumon settled his two - third right over the property in favour of the petitioners. Needless to say that whatever possessory rights Sinumon had, alone will stand settled on the petitioners. On the strength of Ext.P3 settlement deed,



.4.

2026:KER:5736

petitioners sought for transfer of registry, which is not being acted upon by the respondents, is the grievance.

4. This Court notice that transfer of registry has already been effected in the name of Sinumon, pursuant to the directions of this Court in the Writ Petition afore referred. If that be so, there cannot be any impediment in effecting transfer of registry in the name of the petitioners, who are assignees under the said Sinumon. Rule 28 speaks of mutation based on possession and that the same is allowed in the case of Sinumon. Therefore, there cannot be any legal obstacle in effecting the same in name of the petitioners, as well. Of course, the transfer of registry can be only to the extent of the two-third right, which have been settled on the petitioners.

5. In the circumstances, there will be a direction to the 1st respondent/Tahsildar (L.R) to take necessary action as per law in the light of the above discussion in the petitioners' application for transfer of registry in respect of the subject property. Let a call in this regard be taken, in



W,P(C) No.28418 of 2024



.5.

2026:KER:5736

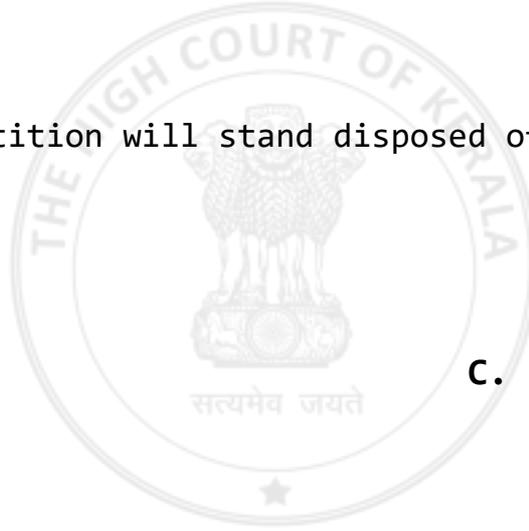
accordance with law, at the earliest, within a period of six weeks from the date of receipt of a copy of this judgment. Petitioner will produce a copy of this judgment before the 1st respondent, for compliance.

This Writ Petition will stand disposed of, as above.

Sd/-

C. JAYACHANDRAN, JUDGE

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APPENDIX OF WP(C) NO. 28418 OF 2024

PETITIONERS' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE ORDER IN PROCEEDINGS OF THE FIRST RESPONDENT BEARING NO.C2-4975/22 DATED 27/03/2024.
- EXHIBIT P2 TRUE COPY OF THE LAND TAX RECEIPT BEARING NO.KL02032701531/2024 DATED 19/04/2024 ISSUED BY THE SECOND RESPONDENT.
- EXHIBIT P2 (A) TRUE COPY OF THE THANDAPPER ACCOUNT NO. 18123 BEARING SERIAL NO.2024/26286/02 DATED 19/04/2024 ISSUED BY THE SECOND RESPONDENT.
- EXHIBIT P3 TRUE COPY OF THE REGISTERED SETTLEMENT DEED DATED NO.882/I/2024 DATED 19/07/2024 OF PARAVOOR SRO.
- EXHIBIT P4 TRUE COPY OF THE GOVERNMENT ORDER BEARING NO.G.O.(RT) NO.2214/2012/RD DATED 13/04/2012 ISSUED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT OF KERALA.
- EXHIBIT P5 TRUE COPY OF THE JUDGEMENT OF THIS HON'BLE COURT IN WPC 37954/2023 DATED 18/01/2024.

RESPONDENT ANNEXURES

- ANNEXURE R1 (A) TRUE COPY OF THE PROCEEDINGS C2-4975/22 DATED 19-12-2022.
- ANNEXURE R1 (B) TRUE COPY OF THE PROCEEDINGS NO.RDOKLM/237/23-J DATED 25-09-2023.