

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**THURSDAY, THE 9TH DAY OF OCTOBER 2014/17TH ASWINA, 1936**

**WP(C).No. 24404 of 2014 (A)**  
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**PETITIONER(S):**  
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**MANOJKUMAR, AGED 35 YEARS,  
S/O.THUNDIYIL KRISHNAN, HOUSE NO:12/148, ENGANDIYOOR,  
CHAVAKKAD TALUK, THRISSUR DISTRICT.**

**BY ADV. SRI.MANSOOR B.H.**

**RESPONDENT(S):**  
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- 1. THE SUB REGISTRAR,  
SUB REGISTRAR OFFICE, VADANAPILLY,  
THRISSUR DISTRICT.**
- \* 2. STATION HOUSE OFFICER,  
CHERPU POLICE STATION,  
THRISSUR DISTRICT. (CORRECTED)**
- 3. STATION HOUSE OFFICER,  
NENMARA POLICE STATION,  
PALAKKAD DISTRICT.**
- \* THE NAME OF THE SECOND RESPONDENT POLICE STATION IS CORRECTED  
AS 'PEECHI POLICE STATION' INSTEAD OF 'CHERPU POLICE STATION' AS  
PER ORDER DTD.9.10.2014 IN IA.NO.12898/2014.**

**BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
09-10-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**msv/**

**WP(C).No. 24404 of 2014 (A)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**EXT.P1: A COPY OF THE AWARD NO:148/2014 OF LOK ADALATH,THRISSUR  
DATED 12/4/2014 IN O.S.865/2013 OF SUB COURT,CHAVAKKAD.**

**EXT.P2: A COPY OF THE COMMUNICATION DATED 29/8/2013 BEARING  
NO:C NO:138/2014 ISSUED BY THE FIRST RESPONDENT.**

**RESPONDENT(S)' EXHIBITS**  
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**NIL**

**//TRUE COPY//**

**P.S.TO JUDGE.**

Msv/

**A.MUHAMED MUSTAQUE, J.**

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W.P.(C) No.24404 of 2014

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Dated this the 9<sup>th</sup> day of October, 2014

**JUDGMENT**

The petitioner claims to be the owner and in possession of the property situated in Re-Survey No.49/3 of Engandiyoor Village. The petitioner wants to alienate his property and presented the document for registration. The registering authority refused to register the document on the ground that the Police officials have instructed not to register the document on presentation as the petitioner appears to have been included in the criminal cases. It is aggrieved by such action, this writ petition is filed.

2. The learned Government Pleader, on instructions, submits that the petitioner is involved in cheating case and this property has been acquired by defrauding the money of others and the Police have instructed not to permit the petitioner to alienate the property.

3. The involvement of the crime is not a ground to deny the right of alienation. If any person has right over the property including creditors, that will not be lost by alienation of the property. Therefore, there is no impediment under the Registration Act or Rules, registering of the property of the person, who has been involved in criminal cases.

In view of the above, Ext.P2 is set aside and there shall be a direction to the first respondent to register the document on presentation by the petitioner.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE**

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