

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

Con.Case(C).No. 813 of 2013 (S)

IN WP(C) 16260/2012 of HIGH COURT OF KERALA DATED 13-07-2012

PETITIONER(S)/PETITIONERS/RESPONDENTS:

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1. **A.K.MOHAMMED AGED 49 YEARS**
S/O.LATE P.KUNHI MOOSA, AMMOOLAKANDIYIL HOUSE
CHOKLI P.O., THALASSERY, MDS MAHE
KANNUR DISTRICT
REPRESENTED BY POWER OF ATTORNEY HOLDER
JAFAR KHAN A.P., AMBALA PARAMBIL, AGED 39 YEARS
S/O.KUNJAYIL, AMBALA PARAMBIL HOUSE
KUNNAMANGALAM P.O., KOZHIKODE DISTRICT.
 2. **P.MOHAMMED**
PALAZHI, OLAVANNA DESOM, GURUVAYURAPPAN COLLEGE
P.O., KOZHIKODE DISTRICT.

BY ADV. SRI.P.M.POULOSE

RESPONDENT(S)/RESPONDENTS:

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1. **N.K.SASIDHARAN, AGED 59 YEARS**
S/O.P.RAGHAVAN NAIR, RESIDING AT OLAVAKODE
CUSTODIAN AND CONSERVATOR OF FORESTS, VESTED FORESTS
OLAVAKODE CIRCLE.
 2. **P.DHANESH KUMAR, AGED 39 YEARS**
RESIDING AT KALPETTA, DIVISIONAL FOREST OFFICER
SOUTH WAYANAD DIVISION, KALPETTA, WAYANAD DISTRICT.

R2 BY ADV. GOVERNMENT PLEADER SRI.RAMPRASAD UNNI.T.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

VS

T.R.RAMACHANDRAN NAIR, J.

Con.Case.No.813 of 2013

Dated this the 11th day of August, 2015

JUDGMENT

The complaints raised in this contempt case are that even though there was an interim order directing that coercive steps will not be initiated against the petitioner, the petitioners have been prevented from doing agricultural operations.

2. An affidavit has been filed by the second respondent, where various aspects have been explained. The stand taken in paragraph 9 is that Annexure A1 interim order passed by this Court, does not permit the petitioners to do agricultural operations in the notified vested forest area. Therefore, the stand taken is that the property is a vested forest land.

3. The learned counsel for the petitioner submits that Anneuxre A1 has not been varied. Evidently, the writ petition is pending and therefore, it is upto the petitioners to seek appropriate directions or permissions

for doing any specific activity. The respondents also will be able to approach this Court stating their stand, if such an application is filed.

Therefore, without prejudice to the right of the petitioners to file an appropriate petition in the writ petition, this contempt case is closed.

Sd/-
T.R.RAMACHANDRAN NAIR,
JUDGE

VS