

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

CRP.No. 473 of 2009 ()

AGAINST THE ORDER/JUDGMENT IN TLB 820/1973 of
T.L.B.,MANANTHAVADY, WAYANAD.

REVISION PETITIONER(S):

STATE OF KERALA,
REP.BY SECRETARY, LAND BOARD, THIRUVANANTHAPURAM.

BY SPL.GOVERNMENT PLEADER SMT. SUSHEELA BHAT

RESPONDENT(S):

N.BALAKRISHNAN NAMBIAR,
PUNCHAVAYAL HOUSE, PANAMARAM P.O., N.WAYANAD.

R1 BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
R1 BY ADV. SRI.P.GOPAL

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY
HEARD ON 26-05-2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:

P. BHAVADASAN, J.

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C.R.P. No. 473 of 2009
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Dated this the 26th day of May, 2015.

ORDER

On the premises that in the order dated 30.12.1976 in a ceiling case against Balakrishnan Nair, certain exemptions granted were doubtful, proceedings were re-opened under Section 85(9A) of the Kerala Land Reforms Act.

2. Exemptions related to 8.10 acres of coffee plantation and 2 acres of rubber plantation. Taluk Land Board felt that exemption was wrongly granted, and a fresh report was called for and matter was reconsidered. Then after elaborate consideration, the Taluk Land Board found that the declarant has right to the property and the lands were earlier covered by gift deed No. 1208/59 by the father of the declarant Appu Nair. All the necessary documents, i.e., plantation tax assessment order, registration of coffee plantation etc. were produced and several other

documents to establish that the area was cultivated as coffee plantation as on the relevant date were also produced before the Taluk Land Board. So is the case with rubber plantation extending to 2 acres. The Taluk Land Board, on consideration of the various materials, found no reason to review or revise the order and closed the proceedings. State has come up in revision.

3. Even though the learned Special Government Pleader tried to assail the finding of the Taluk Land Board, there is not much substance in the contention raised. All the documents necessary to establish that the relevant parcels of land were rubber plantation and coffee plantation had been produced and the matter has been elaborately considered by the Taluk Land Board concerned and found that the earlier order requires no interference. This Court finds no reason to interfere with the order.

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This Civil Revision Petition is dismissed.

sb.

P. BHAVADASAN,
JUDGE