

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS**

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WA.No. 1418 of 2014 () IN WP(C).12133/2014

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AGAINST THE ORDER/JUDGMENT IN WP(C) 12133/2014 of HIGH COURT OF KERALA
DATED 04-06-2014**

APPELLANT(S)/PETITIONER:

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SALAVUDEEN A., AGED 48 YEARS,
S/O ABDUL KAREEM RAWTHER, CHARURETHU VADAKKETHIL,
ERUMAKUZH, NOORANADU.P.O, PALAMEL VILLAGE,
ALAPPUZHA DISTRICT, PIN-690 504.**

BY ADV. SRI.K.K.SETHUKUMAR

RESPONDENT(S)/RESPONDENTS:

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- 1. THE STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY & AGRICULTURE,
PRODUCTION COMMISSIONER, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
 - 2. SRI.V.P.CHANDRASEKHARAN NAIR, AGED 55 YEARS,
S/O.PADMANABHAN PILLAI, LEKHA SADANAM, PAYYANALLOOR,
PALAMEL VILLAGE, ALAPPUZHA DISTRICT, PIN-690 504.**
 - 3. SRI.SETHUMADHAVAN, AGED 26 YEARS,
S/O.GOPINADHAN NAIR, VALIYATHUKIZHAKKETHIL, PAYYANALLOOR,
PALAMEL VILLAGE, ALAPPUZHA DISTRICT-690 504.**

R2 & R3 BY ADVS. SRI.M.V.THAMBAN

SRI.R.REJI

SRI.B.BIPIN

SMT.THARA THAMBAN

R1 BY SRI.VIJU THOMAS, GOVERNMENT PLEADER

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13-08-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DG

**THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.**

W.A.No.1418 of 2014

Dated this the 13th day of August, 2015

J U D G M E N T

Thottathil B.Radhakrishnan, J.

We have heard the learned counsel for the appellant and the learned counsel for the contesting respondent. The appellant/petitioner challenged Exhibit P10 order of the Government vacating the permission granted by the Collector in terms of Exhibit P6 order. The property of the petitioner/appellant is shown as paddy land in the data bank entries prepared by the Local Level Monitoring Committee. The Basic Tax Register entry also shows that the property is a paddy field. That being so, the learned single Judge was justified in holding that unless necessary corrections are made in the entry of the data bank particulars, it will not be possible for the appellant/petitioner to proceed with any transaction in the property. The learned single Judge, accordingly, dismissed the writ petition, leaving it open to the Local Level Monitoring Committee to make appropriate changes on request of any

party after due enquiry. We see no legal infirmity in the approach adopted by the learned single Judge, particularly, having regard to the ratio of the decision of this Court in **Adani Infrastructure & Developers Pvt. Ltd, Mumbai and Others v. State of Kerala and Others [2015 (1) KHC 469]** with which we are in complete agreement. This appeal, therefore, fails.

In the result, this appeal is dismissed.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(SUNIL THOMAS, JUDGE)

//TRUE COPY//

P.A TO JUDGE

DG