

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

WA.No. 2143 of 2015 () IN WP(C).8405/2015

AGAINST THE JUDGMENT IN WP(C) 8405/2015 DATED 16-07-2015

APPELLANT(S)/PETITIONER :-

SUHARA SALIM, AGED 47 YEARS
W/O. SALIM, KAVUNGAL HOUSE, J L MANSIL
VYTTILA P.O., ERNAKULAM-682019.

BY ADVS.SRI.AVANEESH KOYIKKARA
SRI.LINDONS C.DAVIS

RESPONDENT(S)/RESPONDENTS :-

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
DEPARTMENT OF AGRICULTURE, SECRETARIAT
THIRUVANANTHAPURAM-695001.
2. LOCAL LEVEL MONITORING COMMITTEE
REPRESENTED BY ITS CONVENER, AGRICULTURAL OFFICER
KRISHI BHAVAN, KOOVAPADY, KOOVAPADY P.O.
ERNAKULAM-683544.
3. AGRICULTURAL OFFICER
KRISHI BHAVAN, KOOVAPADY, KOOVAPADY P.O.
ERNAKULAM-683544.

BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 09-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.A. No.2143 of 2015

Dated this the 9th day of October 2015

J U D G M E N T

Shaffique, J.

The petitioner challenges the judgment dated 16.7.2015 in W.P.(C) No.8405 of 2015, by which, the learned Single Judge dismissed the writ petition.

2. The appellant/petitioner filed the writ petition seeking for a direction to quash Ext.P2, by which, the Local Level Monitoring Committee refused to correct the Data Bank entries. The contention of the petitioner was that the inspection conducted by the authorities was not proper. It was also stated that the property is a 'garden land' and it was wrongly included in the Data Bank prepared as per the provisions of the Kerala Conservation of Paddy Land and Wet Land Act, 2008. In order to ascertain the factual circumstances involved in the matter, the learned Single Judge, by an interim order dated 27.3.2015 directed the Local Level Monitoring Committee and the Agricultural Officer to conduct inspection and file a report with regard to the nature, lie, location and topography of the land in question. As directed by the Court, a report dated 11.6.2015 has been filed by the

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Agricultural Officer, in which, it was clearly indicated that the property in question is a 'paddy land' and attempts were being made to convert the said land.

3. Having regard to the fact that the learned Single Judge had obtained necessary report from the Agricultural Officer and had ascertained the nature of the property as 'paddy land', we do not think that the appellant can raise any further contentions. Though it is contended by the learned counsel for the appellant that the Agricultural Officer alone has reported the matter and the Local Level Monitoring Committee did not consider the report, having regard to the fact that the report was filed by the Agricultural Officer, who is the Convenor of the Local Level Monitoring Committee, we do not think that there is any error on the part of the learned Single Judge in accepting the report and dismissing the writ petition.

Accordingly, this writ appeal is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE