

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 217 of 2015 (B)

PETITIONER(S):

**MOHAMMED FAROOK, S/O.ASSAINAR,
33 YEARS OF AGE, VATTAPARAMBIL HOUSE,
P.O. VALAMKULAM, ANAMANGAD,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.MOHANAKANNAN,
SMT.A.R.PRAVITHA.**

RESPONDENTS:-:

- 1. THE CONVENOR,
LOCAL LEVEL MONITORING COMMITTEE
CONSTITUTED UNDER THE KERALA CONSERVATION
OF PADDY AND WET LAND ACT ,
AGRICULTURAL OFFICE, KRISHI BHAVAN,
ALIPARAMBA, PERINTHALMANNA - 679 357.**
- 2. THE TAHSILDAR,
PERINTHALMANNA - 679 322.**
- 3. THE VILLAGE OFFICER,
ANAMANGAD - 679 357.**
- 4. ALIPARAMBA GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, PIN - 679 357.**

R1 TO R3 BY GOVT. PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1. TRUE COPY OF THE SETTLEMENT DEED NO.1675/1/14 OF SRO PERINTHALMANNA DATED 17.03.2014.
- EXHIBIT P2. TRUE COPY OF THE APPLICATION FILED BEFORE THE 1ST RESPONDENT U/S.5 OF THE CONSERVATION OF PADDY AND WET LAND ACT 17.06.2014.
- EXHIBIT P3. TRUE COPY OF THE REPORT OF THE AGRICULTURAL OFFICER DATED NIL.
- EXHIBIT P4. TRUE COPY OF THE APPLICATION FOR BUILDING PERMIT FILED BY THE PETITIONER BEFORE THE ALIPARAMBA GRAMA PANCHAYATH DATED 29.05.2014.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 217 of 2015

Dated this the 11th day of March, 2015

J U D G M E N T

The petitioner is the owner of the property having an extent of 10 cents of land in Sy.No.16 Sub Division No.6 of Aliparamba Grama Panchayath within the area and jurisdiction of the 4th respondent which came to the hands of the petitioner by virtue of Ext.P1 'Settlement Deed' dated 21.03.2014 bearing No. 1675/1/14 of SRO, Perunthalmanna. To construct a building therein, as the petitioner is having no other land, it has become essential to obtain necessary sanction from the competent authority under Act 28 of 2008, as the property stands described as a paddy land. It was accordingly, that Ext.P2 application was preferred under Section 5 of the Conservation of paddy Land and Wet Land Act before the 1st respondent. Pursuant to this, Ext.P3 report has been submitted which stands in favour of the petitioner. The petitioner has approached the Local Authority by filing an application for issuance of building permit as borne by Ext.P4. Delay in considering the same, made the petitioner to approach this Court by filing the writ petition.

2. Heard the learned Special Government Pleader appearing for the respondent as well.

3. After hearing both the sides, this writ petition is disposed of, directing the 1st respondent to conduct a spot inspection with notice to the petitioner and forward the recommendation/remarks to the District Level Authorised Committee, at the earliest, at any rate, 'one month' from the date of receipt of a copy of the judgment. On receipt of the proceedings as above, the matter shall be considered and finalized by passing appropriate orders by the District Level Authorised Committee after hearing to the petitioner, within a further period of 'one month' thereafter.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.