

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WP(C).No. 4111 of 2015 (L)

PETITIONER(S):

**MOHAN SAMUEL,
KOYIKKAL PADIKKAL HOUSE, NEAR ASSISI, ALUVA.**

BY ADV. SRI.DEEPU THANKAN

RESPONDENT(S):

**1. CHAIRMAN, LOCAL LEVEL MONITORING COMMITTEE,
KIZHAKKAMBALAM GRAMA PANCHAYATH,
PIN - 683 562.**

**2. THE AGRICULTURAL OFFICER
KRISHI BHAVAN, KIZHAKKAMBALAM - 683 562.**

**3. THE VILLAGE OFFICER
KIZHAKKAMBALAM - 683 562.**

R2 & 3 BY GOVERNMENT PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 4111 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF SALE DEED NO. 767/2006 DT. 31.1.06 OF SRO, PUTHENCRUZ.**
- P2 - TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE 3RD
RESPONDENT DT. 21.6.13.**
- P3 - TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER DT.
20.1.15.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 4111 of 2015

Dated this the 10th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayer:

“Issue a writ of mandamus or any other appropriate writ or direction directing the 1st respondent to consider Ext.P3 application submitted by the petitioner and to delete his property (13 cents of land situated in resurvey No.247/8 in block No.25 of Kizhakkambalam Village) from the data bank prepared by the 1st respondent.”

The learned counsel for the petitioner submits that, the grievance of the petitioner has also been projected by way of Ext.P3 application and that the petitioner will be satisfied, if a direction is given to the 1st respondent to have it considered and finalized within a reasonable time.

2. Heard the learned Government Pleader as well, who submits that, the application preferred by the petitioner would be positively considered in view of the ruling rendered by a Division Bench of this Court in **Adani Infrastructure & Developers Pvt. Ltd. v. State of Kerala** (2015 (1) KLT 651).

3. After hearing both the sides, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of, directing the first respondent to consider and pass appropriate orders on Ext.P3 in accordance with law, also in the light of the decision cited supra, after giving an opportunity of hearing to the petitioner at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment.

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

**P.R. RAMACHANDRA MENON,
JUDGE.**

kp/-