

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

WP(C).No. 5058 of 2015 (F)

PETITIONER(S):

**VARGHESE, AGED 65 YEARS,
S/O.OUSEPH, PADAYATTIL HOUSE, PUTHANVELIKKARA,
ERNAKULAM.**

**BY SRI.RENJITH THAMPAN, SENIOR ADVOCATE
ADV. SMT.P.R.REENA**

RESPONDENT(S):

**THE LOCAL LEVEL MONITORING COMMITTEE,
PUTHANVELIKKARA PANCHAYATH,
REPRESENTED BY ITS CONVENER,
AGRICULTURAL OFFICER, KRISHI BHAVAN,
PUTHANVELIKKARA P.O.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 5058 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT P1 : TRUE COPY OF THE SALE DEED NO.498/12 OF CHENDAMANGALAM
REGISTRY.**

**EXT P2 : PHOTOGRAPH SHOWING THE PETITIONER'S PROPERTY AND ADJACENT
PROPERTIES.**

**EXT P3 : TRUE COPY OF THE REQUEST MADE BY THE PETITIONER
DATED 10-02-2015 BEFORE THE RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.5058 of 2015

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Dated this the 18th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- “i) Issue a writ in the nature of mandamus commanding the 1st respondent to consider Ext.P3 representation and make the site inspection of petitioner's property covered by Ext.P1 and correct the mistake in the data bank prepared for Puthanvelikkara Gramapanchayath after following the procedure prescribed under Sec.5(4)(i) of the Kerala Conservation of Paddy Land and Wetland Act within such time as may be fixed by this Hon'ble Court.
- ii) Issue such other orders, writs or directions as are deemed fit by this Hon'ble court.
- iii) Award cost of this proceedings to the petitioner.”

2. Heard the learned Counsel for the petitioner as well as the learned Government Pleader.

4. During the course of hearing, the learned counsel for the petitioner submits that, the grievance has already been projected by way of Exts.P3 before the respondent and that

the petitioner will be satisfied, if a direction is given to the said respondent to have it considered and finalized within a reasonable time.

6. After hearing both the sides, this Court finds it not necessary to go into the merits of the case. The writ petition is disposed of, directing the respondent to consider and pass appropriate orders on Ext.P3 after conducting an inspection with notice, and also in the light of the observations made by the Division Bench of this Court in **Adani Infrastructure and Developers Private Ltd. Vs. State of Kerala (2015(1) KLT 651)**, after affording an opportunity of hearing to the petitioner at the earliest, at any rate, within 'two 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 respondent for further steps.

Sd/-

P.R.RAMACHANDRA MENON, JUDGE

vdv