

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C).No. 5665 of 2015 (G)

PETITIONER(S) :

- 1. P.A.JOSE**
JOS GOLD TRADERS AND JEWELLERS PRIVATE LIMITED
NO.19/XII, KALAREEKAL BAZAR, KOTTAYAM.
- 2. P.A.JOSE**
JOSCO BULLION TRADERS AND JEWELLERS PRIVATE LIMITED
NO.X/894, 895, K.K.ROAD
CENTRAL JUNCTION, KOTTAYAM,
PIN - 686001.

BY ADVS.SMT.K.P.SANTHI
SRI.R.JAYAKRISHNAN (MUTHUKULAM)
SMT.E.U.DHANYA
SRI.RILGIN V.GEORGE

RESPONDENT(S) :

- 1. STATE OF KERALA**
REPRESENTED BY THE SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
- 2. THE DISTRICT COLLECTOR**
THRISSUR-680 001.
- 3. THE TAHSILDAR**
THRISSUR-680 001.
- 4. THE VILLAGE OFFICER**
AYYANTHOLE-680 121.

R1 TO R4 BY SR.GOV'T. PLEADER SRI. JOSEPH GEORGE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Mn

...2/-

WP(C).No. 5665 of 2015 (G)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT-P1: TRUE COPY OF THE APPLICATION DATED 1.1.2014 SUBMITTED TO
RESPONDENTS 2 TO 4.**

EXHIBIT-P2: TRUE COPY OF THE RELEVANT PAGE OF THE DRAFT DATA BANK.

EXHIBIT-P3: TRUE COPY OF THE JUDGMENT IN WP.(C) NO.9037 OF 2014.

**EXHIBIT-P4: TRUE COPY OF THE ORDER DATED 2.1.2015 OF THE 2ND
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON J.

~~~~~

W.P.(C) No. 5665 of 2015

~~~~~

Dated, this the 24th day of March, 2015

JUDGMENT

The grievance of the petitioners is with regard to Ext. P4 order dated 02.01.2015 passed by the second respondent herein turning down the request to grant permission to the petitioners under Clause 6 (2) of the Kerala Land Utilization Order, so as to make use of the property for other purpose than agriculture.

2. Heard the learned Government Pleader as well, who submits that if the petitioners are aggrieved of Ext. P4 order passed under Clause 6 (2) of the KLU Order the petitioners are having remedy by way of appeal as provided under Clause 11. If the petitioners are still having the grievance, they are having remedy by way of revision as provided under Clause 14.

In the said circumstances, the writ petition is disposed of setting the petitioners at liberty to move the appellate authority by way of appropriate proceedings in terms of the statutory provision. Without prejudice to the right of the petitioners to avail the aforesaid remedies, interference is declined and the writ petition is dismissed.

Sd/-

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

kmd