

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).No. 6085 of 2015 (I)

PETITIONER :

**SAJITHA.T.M., AGED 49 YEARS, 'LANTERN',
THIRUVANCHOOR, MANARCAUD VILLAGE,
KOTTAYAM.**

**BY ADVS.SRI.SURIN GEORGE IPE
SRI.M.V.BIPIN**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE DISTRICT COLLECTOR,
KOTTAYAM, COLLECTORATE P.O., KOTTAYAM -686 002.**
- 3. THE VILLAGE OFFICER,
MUTTAMBALAM VILLAGE, KOTTAYAM TALUK,
KOTTAYAM - 686 004.**

R1 TO R3 BY GOVERNMENT PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE PHOTOCOPY OF THE SALE DEED 180/2012 DATED 17.1.2012.

EXT.P-2: TRUE PHOTOCOPY OF THE LAND TAX RECEIPT DATED 20.2.2015.

EXT.P-3: TRUE PHOTOCOPY OF THE POSSESSION CERTIFICATE DATED 23.2.2014.

EXT.P-4: TRUE PHOTOCOPY OF THE RELEVANT PAGE OF THE DRAFT DATA BANK.

EXT.P-5: PHOTOGRAPHS OF NEARBY RESIDENTIAL BUILDINGS AND A WORSHIP PLACE.

EXT.P-6: TRUE PHOTOCOPY OF THE APPLICATION UNDER REGULATION 6 (2) OF THE KERALA LAND UTILIZATION ORDER 1967 AND ITS RECEIPT ISSUED BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 6085 of 2015

Dated this the 26th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of mandamus or any other appropriate writ, direction or order, directing the 2nd respondent to consider Ext.P6 application and grant permission to the petitioner as prayed for in the said application.

ii. Issue such other writ, order or direction as this Hon'ble Court deems fit and proper to grant in the facts and circumstances of the case."

The learned counsel for the petitioner submits that the grievance of the petitioner has also been projected by way of Ext.P6 application filed under Clause 6(2) of the Kerala Land Utilization Order, which is pending consideration before the 2nd respondent and that petitioner will be satisfied, if a direction is given to the said respondent to have it considered and disposed of within a reasonable time.

2. Heard the learned Government Pleader as well, who submits that the application can be considered and finalized after calling for a report from the Local Level Monitoring Committee by the 2nd respondent/competent authority.

3. After hearing both the sides, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P6 application in the light of the version to be given by the Local Level Monitoring Committee and such other relevant materials, after giving an opportunity of hearing to the petitioner and other interested parties, if any. The proceedings as above shall be finalized 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 2nd respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE.

kp/-