

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

WP(C).No. 6721 of 2015 (M)

PETITIONER:

**SUKUMARAN VELAYUDHAN,
PULICKAL HOUSE,
PALISSERY,
KARUKUTTY P.O.,
ERNAKULAM-683 576.**

BY ADV. SRI.AVANEESH KOYIKKARA

RESPONDENT(S):

- 1. STATE OF KERALA,
REP. BY ITS SECRETARY,
DEPARTMENT OF AGRICULTURE
SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT COLLECTOR,
ERNAKULAM,
PIN-682001.**
- 3. AGRICULTURAL OFFICER,
KRISHI BHAVAN,
MOOKANNUR-683577.**

R1 TO R3 BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

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

WP(C).No. 6721 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT P1 : TRUE COPY OF THE LETTER DATED 18-11-2014 ISSUED BY THE
AGRICULTURE OFFICER, MOOKANNUR.**

**EXT P2 : TRUE APPLICATION DATED 04-12-2014 SUBMITTED BY THE PETITIONER
BEFORE THE DISTRICT COLLECTOR, ERNAKULAM.**

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

vmr.

P.R.RAMACHANDRA MENON, J.

W.P.(C).No.6721 of 2015

Dated this the 3rd day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- i. To issue a writ of mandamus or any other appropriate writ, order or direction, commanding the 2nd respondent to consider and pass orders on Ext.P2 within a time frame fixed by this Hon'ble Court.*
- ii. To issue a writ of mandamus or any other appropriate writ, order or direction, commanding the 2nd respondent to permit petitioner for utilising the land comprised in Sy.No.280/6-2 VI of Thuravoor Village of Ernakulam District for the purposes other than paddy cultivation as per Kerala Land Utilisation Order.*

2. The learned counsel for the petitioner submits that the grievance of the petitioner is mainly with regard to the inaction on the part of the second respondent to consider and pass appropriate orders on Ext.P2 which is an application preferred under clause 6 (2) of the Kerala Land Utilisation Order seeking for sanction to permit the petitioner to make use of the land for other purposes than agricultural operations. It is stated that the

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petitioner will be satisfied, if a direction is given to the second respondent to have it consider and dispose of the Ext.P2 application within a reasonable time.

3. Heard the learned Government Pleader as well.

4. It is pointed out that Ext.P2 which is pending consideration of the second respondent, will be considered and finalised after calling for a report from the third respondent. In the said circumstances, this writ petition is disposed of, directing the second respondent to consider and pass appropriate orders on Ext.P2 application preferred by the petitioner, after giving an opportunity of hearing to the petitioner, as expeditiously as possible, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the second respondent, for further steps.

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

rkc.