

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(C).No. 6988 of 2015 (W)

PETITIONER :

**TANKACHAN, AGED 54 YEARS,
S/O.VADAKKUMPADAN JOSEPH,
MURINGOOR THEKKUMURY VILLAGE, MURINGOOR DESOM,
CHALAKUDY TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.T.N.MANOJ

RESPONDENTS :

- 1. THE DISTRICT COLLECTOR,THRISSUR 680001**
- 2. THE AGRICULTURAL OFFICER AND THE CONVENER,
LOCAL LEVEL MONITORING COMMITTEE, KRISHI BHAVAN,
KORATTY - 686301**

BY SENIOR GOVERNMENT PLEADER SRI. K.C. VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 6988 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE DEED NO.4663/2006 DATED 5/8/2006.

**EXHIBIT-P2: TRUE COPY OF THE PETITION DATED 17/9/2014 BEFORE THE 1S
RESPONDENT.**

**EXHIBIT-P3: TRUE COPY OF THE PETITION DATED 23/8/2014 BEFORE THE 2ND
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.6988 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

"(a) Appropriate writ, order or direction to the 1st respondent to pass orders on Exhibit P2 treating the same as an appeal against the decision of the authorised state level committee.

(b) Appropriate writ, order or direction to the 2nd respondent to pass orders on Exhibit P3 by correcting the mistake occurred in categorising the properties of the petitioner comprised in survey number 387 as Nilam.

(c) Such other writ order or direction that this Honourable Court deem fit to grant in the course of the proceedings."

2. The petitioner is stated as owner of the land having an extent of 3 Ares 5.823 comprised in Survey Nos. 387/1, 388/2, 389/1/2 and 390 of Muringoor Thekkumuri Village. According to the petitioner, the said land is neither a 'paddy land', nor a 'wet land' as defined under Section 2 (xii) or 2 (xviii) of Act 28 of 2008, though it has been described as 'wet land ' in the revenue records. It is stated that the property of the petitioner has been wrongly included in data bank register. The learned counsel for the petitioner submits that, though the petitioner has submitted Ext.P3

petition before the 2nd respondent for correction in the data bank register, the same is still to be considered.

4. Heard the learned Government Pleader as well.

5. After hearing both the sides, this Court finds that if any correction or deletion is to be made, it has to be considered by the Local Level Monitoring Committee, which is the law declared by this Court in **Castlerock Project and Developers Pvt. Ltd. Vs. Revenue Divisional Officer [2013 (3) KLT 545]**.

In the said circumstances, there will be a direction to the second respondent to consider and pass appropriate orders on Ext.P3 in accordance with law, after conducting a site inspection and also after hearing 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 this judgment along with copy of the writ petition before the second respondent for further steps.

The Writ Petition is disposed of.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

sp