

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 8742 of 2015 (P)

PETITIONER(S):

**G. RAVEENDRAN, S/O.GOPALAN,
PULIMADA HOUSE, NECHOOR P.O.,
THOLANNUR, PALAKKAD DISTRICT - 678 722.**

BY ADV. SRI.P.BABU KUMAR.

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY ITS SPECIAL SECRETARY,
FOREST & WILD LIFE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. CHIEF FOREST CONSERVATOR, EASTERN CIRCLE,
OFFICE OF THE CHIEF FOREST CONSERVATOR,
OLAVAKKOD, PALAKKAD - 678 002.**

BY GOVT. PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1: TRUE PHOTOCOPY OF THE COMMON ORDER IN
OA NO. 896/75 & 935/75 OF THE FOREST TRIBUNAL,
PALAKKAD DATED 05/07/1977.
- EXT.P2: TRUE PHOTOCOPY OF THE POWER OF ATTORNEY EXECUTED BY
THE LEGAL HEIRS OF THE PETITIONER IN THE OAS
DATED 04/06/2011.
- EXT.P3: TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE DIVISIONAL
FOREST OFFICER, NENMARA DATED 01/01/2015.
- EXT.P4: TRUE PHOTOCOPY OF THE SURVEY SKETCH PREPARED BY
M.P.CHANDRAN, FIRST GRADE SURVEYOR, MINI SURVEY,
KOZHIKODE WHICH OBTAINED UNDER RTI ACT DATED NIL.
- EXT.P5: TRUE PHOTOCOPY OF THE PERFORMA PREPARED BY THE FOREST
RANGE OFFICER, ALATHUR DATED NIL.
- EXT.P6: TRUE PHOTOCOPY OF THE SURVEY SKETCH PREPARED BY
T. MORISON WHICH IS APPROVED BY THE HEAD DRAFTSMAN AND
ASST. DIRECTOR OF SURVEY, FOREST MINI SURVEY, TRIVANDRUM
DATED 16/03/1999.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

K. VINOD CHANDRAN, J

W.P(C) No. 8742 of 2015

Dated this the 29th day of June, 2015

J U D G M E N T

The petitioner seeks restoration of a property which has been ordered by the Forest Tribunal in Ext.P1 order. The learned Special Government Pleader (Forest), on the basis of the statement filed, requests that six months time may be granted to the Forest Department to complete the proceedings.

2. A reading of the statement, specifically Paragraph 9 would indicate the procedure to be followed, which is extracted hereunder:-

“It is submitted that the steps for submitting restoration proposal will be initiated by the Section Forest Officer. After conducting a field inspection, the finalized

restoration proposal will be submitted by the Range Forest Officer, to the Divisional Forest Officer. The Divisional Forest Officer has to conduct a field inspection. After scrutiny at the Division level, the restoration proposal is to be forwarded to the Chief Conservator of Forests and Custodian of Vested Forests. The Chief Conservator of Forests also has to conduct a field inspection. After verification in the office of the Chief Conservator of Forests, the restoration proposal has to be submitted to the Addl. Principal Chief Conservator of Forests, Northern Region, for onward transmission to Government. The Government has to approve the restoration

proposal. Only after obtaining Government sanction, the land can be formally restored to the applicant/legal heirs of the applicant.

The learned counsel for the petitioner submits that the restoration order was passed almost 38 years back. In such circumstance, proceedings would be finalized within six months from the date of receipt of a certified copy of this judgment.

Writ petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy/

P.A to Judge