

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

WP(C).No. 8815 of 2015 (B)

PETITIONER :

**SHIBU THOMAS, AGED 36 YEARS
S/O.K.J.THOMAS, KADAVANATHIL HOUSE, KOLAKKAD P.O.,
KANNUR DISTRICT – 670673.**

**BY ADVS.SRI.AVANEESH KOYIKKARA
SRI.LINDONS C. DAVIS**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF AGRICULTURE, SECRETARIAT
THIRUVANANTHAPURAM - 695001**
- 2. THE DISTRICT COLLECTOR
ERNAKULAM - 682030**
- 3. LOCAL LEVEL MONITORING COMMITTEE
REPRESENTED BY ITS CONVENER, AGRICULTURAL OFFICER
KRISHI BHAVAN, AIKARANADU - 682311**

R1 TO R3 BY GOVT. PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 8815 of 2015 (B)

APPENDIX

PETITIONERS' EXHIBITS :

EXT. P1: TRUE COPY OF THE TAX RECEIPT DATED 12.10.2010.

**EXT. P2: TRUE COOPY OF THE REPORT OF THE LOCAL LEVEL MONITORING
COMMITTEE DATED 10.03.2014.**

**EXT. P3: TRUE COPY OF APPLICATION DATED 15.10.2014 SUBMITTED BY THE
PETITIONER BEFORE THE DISTRICT COLLECTOR, ERNAKULAM**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R.RAMACHANDRA MENON, J.
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W.P.(C) No.8815 of 2015
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Dated this the 27th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- “i) Issue a writ of mandamus, or any other appropriate writ, order or direction, commanding the 2nd respondent to consider and pass orders on Ext.P3 within a time frame fixed by this Hon'ble Court.
- ii) Issue a writ of mandamus, or any other appropriate writ, order or direction, directing the 2nd respondent to permit petitioner for utilising the land for the purposes other than paddy cultivation as per Kerala Land Utilisaton Order.
- iii) Pass such other appropriate orders or directions as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

2. Heard the learned Counsel for the petitioner as well as the learned Government Pleader.

3. During the course of hearing, the learned counsel for the petitioner submits that, the grievance has already been projected by way of Ext.P3 before the second respondent

and that the petitioner will be satisfied, if a direction is given to the said respondent to have it considered and finalized within a reasonable time.

4. After hearing both the sides, this Court finds it not necessary to go into the merits of the case. The writ petition is disposed of, directing the second respondent to consider and pass appropriate orders on Ext.P3 in accordance with law, after affording an opportunity of hearing to 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 the judgment along with a copy of the writ petition before the second respondent for further steps.

Sd/-

P.R.RAMACHANDRA MENON, JUDGE

vdv