

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. 8816 of 2015 (B)

PETITIONER(S):

**JAMES ITTIAVIRA, AGED 38 YEARS,
S/O.ITTIAVIRA P.C., PALAKKATTUTHAZHATHU HOUSE, ENATHY P.O.,
KOTTAYAM DISTRICT - 686 608.**

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

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF AGRICULTURE, SECRETARIAT,
THRIUVANANTHAPURAM - 695 001.**
- 2. THE DISTRICT COLLECTOR,
ERNAKULAM - 682 030.**
- 3. LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CONVENOR, AGRICULTURAL OFFICER,
KRISHI BHAVAN, AIKARANADU - 682 311.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

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

msv/

WP(C).No. 8816 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

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

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

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

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R.RAMACHANDRA MENON, J.
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W.P.(C) No.8816 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