

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(C).No. 9082 of 2015 (I)

PETITIONER(S):

**SHAMEER. M., AGED 29 YEARS,
S/O.M. MUHAMMADALI, ANCHUMANIPURAYIDAM,
KULASEKHARAPATHY, PATHANAMTHITTA DISTRICT.**

**BY DR.K.P.SATHEESAN, SENIOR ADVOCATE.
ADV. SRI.ANOOP.V.NAIR.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO
THE REVENUE DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. DISTRICT COLLECTOR,
PATHANAMTHITTA DISTRICT-689 645.**
- 3. REVENUE DIVISIONAL OFFICER,
ADOOR, PATHANAMTHITTA DISTRICT-689 645.**
- 4. TAHSILDAR,
KOZHENCHERY TALUK, KOZHENCHERY,
PATHANAMTHITTA DISTRICT-689 645.**
- 5. VILLAGE OFFICER, ELANTHUR VILLAGE,
PATHANAMTHITTA-689 645.**
- 6. ELANTHUR PANCHAYAT, ELANTHUR,
PATHANAMTHITTA DISTRICT-689 643,
REPRESENTED BY ITS SECRETARY**
- 7. LOCAL LEVEL MONITORING COMMITTEE,
ELANTHUR PANCHAYAT, ELANTHUR,
PATHANAMTHITTA DISTRICT-689 643.**

R1 TO R5 BY SR. GOVT. PLEADER SRI.K.C. VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 - TRUE COPY OF THE REPORT FORWARDED BY THE 4TH RESPONDENT TO THE 3RD RESPONDENT ALONG WITH THE APPLICATION SUBMITTED BY THE PETITIONER.
- EXT.P2 - TRUE COPY OF THE ORDER DATED 01-07-2013 BEARING NO.7172/2013/B1 PASSED BY 3RD RESPONDENT ISSUED TO THE PETITIONER.
- EXT.P3 - TRUE COPY OF THE APPLICATION DATED 19-09-2014 SUBMITTED TO THE 2ND RESPONDENT BY THE PETITIONER
- EXT.P4 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE 5TH RESPONDENT TO THE PETITIONER.
- EXT.P5 - TRUE COPY OF THE JUDGMENT IN WP(C).NO.5353/2014 PASSED BY THIS HON'BLE COURT.
- EXT.P6 - TRUE COPY OF THE COVERING LETTER SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 20-10-2014.
- EXT.P7 - TRUE COPY OF THE ORDER DATED 21-01-2015 BEARING NO.C4-44321/2013 PASSED BY THE 2ND RESPONDENT ISSUED TO THE PETITIONER.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 9082 of 2015

Dated this the 1st day of April, 2015

JUDGMENT

The petitioner is stated as aggrieved of Ext.P7 order dated 21.01.2015 passed by the 2nd respondent whereby the application preferred for granting permission to the petitioner to make use of the property for other purpose than agricultural purpose in terms of Clause 6(2) of the KLU Order has been declined.

2. Heard the learned Government Pleader as well.

3. It is brought to the notice of this Court that, the petitioner is having an effective alternative remedy by way of appeal as provided under Clause 11 before the Commissioner for Land Revenue. In the said circumstance, interference is declined and the writ petition is dismissed without prejudice to the rights and liberties of the petitioner to pursue the appellate remedy as aforesaid.

It is for the petitioner to produce all the relevant materials in support of the case projected by the petitioner before the appellate authority as aforesaid.

**P.R. RAMACHANDRA MENON,
JUDGE.**