

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 9425 of 2015 (C)

PETITIONER :

**A.J.ROY AGED 43 YEARS, S/O.JOSEPH,
ARPATHANATH, KALIYAR P.O., THODUPUZHA.**

BY ADV. SRI.RAJU SEBASTIAN VADAKKEKKARA

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER, IDUKKI,
IDUKKI COLLECTORATE,
KUNJILLIMALA, PAINAVU P.O., IDUKKI DISTRICT,
PIN - 685 602 (CHAIRMAN,DISTRICT LEVEL MONITORING COMMITTEE,
CONSERVATION OF PADDY AND WET LAND ACT, 2008).**
- 2. PRINCIPAL AGRICULTURAL OFFICER, IDUKKI,
PRINCIPAL AGRICULTURAL OFFICE,
THODUPUZHA P.O., IDUKKI DISTRICT (CONVENER,
DISTRICT LEVEL MONITORING COMMITTEE,
CONSERVATION OF PADDY LAND AND WET LAND ACT, 2008).**
- 3. AGRICULTURAL OFFICER, KRISHI BHAVAN,
VANNAPPURAM, VANNAPPURAM P.O.,
THODUPUZHA, IDUKKI DISTRICT - 685 607.**
- 4. VILLAGE OFFICER, VANNAPPURAM VILLAGE,
VANNAPPURAM P.O.,THODUPUZHA,
IDUKKI DISTRICT.**

BY SR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE SALE DEED EXECUTED IN FAVOUR OF THE PETITIONER BY ONE ANTONY DATED 30/03/2010.
- EXHIBIT P2: TRUE PHOTOGRAPHS OF THE PROPERTY OF THE PETITIONER COVERED BY EXHIBIT P1 SALE DEED.
- EXHIBIT P3: TRUE COPY OF THE DATA BANK FURNISHED TO THE PETITIONER, BY THE 3RD RESPONDENT UNDER THE RIGHT TO INFORMATION ACT.
- EXHIBIT P4; TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT REVENUE DIVISIONAL OFFICER, IDUKKI DATED 31/03/2014.
- EXHIBIT P5: TRUE COPY OF THE LETTER DATED 17/06/2014 SENT BY 2ND RESPONDENT TO THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No.9425 of 2015

Dated this the 10th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. To issue a writ of mandamus or any other appropriate writ, order or direction, commanding the respondents 1 to 3 to make appropriate alteration/insertion in Exhibit-P3 data bank in item No.274 thereof relating to the property of the petitioner showing the nature of land of the petitioner as it stands now.

ii. To issue such other appropriate writ, order or direction as may be deem fit and necessary in the facts and circumstances of the case as this Hon'ble Court deems fit in the interest of justice."

The learned counsel for the petitioner submits that the only prayer is to cause Ext.P4 to be considered and disposed of within a reasonable time.

2. The learned counsel for the petitioner submits that, the petitioner is the owner of property having an extent of 10.92 Ares in Survey No.1468/3/4 and 55.04 Ares in 1468/1 of

Vannappuram Village in Thodupuzha Taluk in Idukki District. The case of the petitioner is that the said property was not a 'paddy land' or 'wet land' as on the commencement of the Act 28 of 2008 and that a lot of improvements are there in the said property. The same, however, happens to be shown in the Data Bank Register as a 'converted land', which made the petitioner to approach the 1st respondent by filing Ext.P4 representation for appropriate reliefs. The delay on the part of the first respondent in considering the same made the petitioner to approach this Court by filing the writ petition.

3. The learned counsel for the petitioner submits that Ext.P4 may caused to be considered and dealt with accordingly. Heard the learned Government Pleader as well.

4. In the said circumstance, the writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P4 in accordance with law, with reference to Clause 6(2) of the KLU Order, after calling for a report from the Agricultural Officer with regard to the nature of the land in question and after hearing the petitioner, at the earliest, at any

rate, within 'two months' from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

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