

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.9935 of 2015 (N)

PETITIONER:

**BIJU,AGED 45 YEARS,S/O.VARGHESE,
RESIDING AT PALLIKKAMADAM HOUSE,
PERIMBADAR PO,MANNARGHAT,
PALAKKAD DISTRICT,PIN CODE-678762.**

**BY ADVS.SRI.SURAJ.S
SRI.NIRMAL V NAIR**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LAND REVENUE,SECRETARIAT,
THIRUVANANTHAPURM-695001.**
- 2. THE PERINTHALMANNA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
PERINTHALMANNA,MALAPPURAM DT. 679322.**
- 3. THE LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY THE CONVENER,
OFFICE OF THE AGRICULTURE OFFICER,
PERINTHALMANNA,MALAPPURAM DT.679322.**
- 4. THE DISTRICT COLLECTOR,COLLECTORATE,
UPHILL,MALAPPURAM DT. 679001.**

**R1,R3 & R4 BY SENIOR GOVT. PLEADER SRI.JOSEPH GEORGE.
R2 BY SRI.P.C.SASIDHARAN,SC,PERINTHALMANNA MUNICIPALITY**

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

WP(C).No.9935 of 2015 (N)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:A TRUE COPY OF THE TAX RECEIPT.

**EXT.P2:A TRUE COPY OF THE POSSESSION CERTIFICATE OF THE PROPERTY
OF THE PETITIONER.**

**EXT.P3:A TRUE COPY OF THE RECEIPT OF THE APPLICATION SUBMITTED BY
THE PETITIONER.**

**EXT.P4:A TRUE COPY OF THE ORDER REJECTING THE APPLICATION
SUBMITTED BY THE PETITIONER ISSUED BY THE 2ND RESPONDENT.**

**EXT.P5:A TRUE COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT TO
THE PETITIONER**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 9935 of 2015

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Dated, this the 27th day of March, 2015

JUDGMENT

The petitioner herein is the owner of the property having an extent of 5 cents of land comprised in survey No. 18/1 Perinthalmanna Municipality covered by Ext. P1 tax receipt and Ext.P2 possession certificate. Since the petitioner is having no other property to construct residential building, necessary sanction was required to be obtained from the competent authority under the Act 28 of 2008, as the property stands described as 'paddy land'. After considering the application preferred in this regard, the petitioner was let known, as per Ext. P5, that the matter has already been caused to be placed before the competent authority for further steps. Delay in considering the same, made the petitioner to approach this Court by filing the present writ petition.

2. Heard the learned Government Pleader as well.

3. Considering the facts and circumstances, the 3rd respondent is directed to cause the matter to be inspected with notice to the petitioner and forward remarks/recommendation within one month

from the date of receipt of a copy of this judgment, to the District Level Committee headed by the Revenue Divisional Officer, who shall consider the matter and pass appropriate orders, at the earliest, at any rate, within one month thereafter.

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

The writ petition is disposed of.

Sd/-

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

kmd