

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

WP(C).No. 10160 of 2015 (T)

PETITIONER(S):

**MANIKANDAN V., AGED 48 YEARS,
S/O.VELLYANKIRI, RAJESWARI BHAVANAM, KALMANDAPAM,
KOPPAM, PALAKKAD DISTRICT, PIN - 678 001.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S):

- 1. THE LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CHAIRMAN AND PANCHAYAT PRESIDENT,
MARUTHARODE GRAMA PANCHAYAT, KALLEPPULLY P.O.,
PALAKKAD DISTRICT, PIN - 678 018.**
- 2. THE DISTRICT LEVEL AUTHORISED COMMITTEE,
REPRESENTED BY ITS CHAIRMAN AND
REVENUE DIVISIONAL OFFICER,
PALAKKAD - 678 011.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 10160 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT. P1: THE TRUE COPY OF KERALA GAZETTE NOTIFICATION NO.515(15)
DATED 06.03.2010.**

**EXT. P2: THE TRUE COPY OF THE APPLICATION DATED 02.12.2014 SUBMITTED BY
THE PETITIONER BEFORE THE FIRST RESPONDENT UNDER RULE 5(1) OF
THE KERALA CONSERVATION OF PADDY LAND AND WET LAND RULES, 2008
ALONG WITH TAX RECEIPT ACKNOWLEDGING PAYMENT OF TAX,
POSSESSION CERTIFICATE, LOCATION CERTIFICATE AND NON POSSESSION
OF BUILDING CERTIFICATE ISSUED BY THE VILLAGE OFFICER**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv**/**

P.R.RAMACHANDRA MENON, J.

= = = = =

W.P.(C) No. 10160 of 2015

= = = = =

Dated this the 30th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"(A) Issue a writ in the nature of mandamus or any other appropriate writ, direction or order commanding the first respondent to dispose of Exhibit P2 as mandated under Rule 5(2) of the Kerala Conservation of Paddy Land and Wet Land Rules, 2008, within a time limit as specified by this Hon'ble Court and to further direct the second respondent to take a decision on Exhibit P2 application, if recommended by the first respondent as mandated under Rule 5(3) of the Rules.

(ii) Issue such other writ, direction or order as this Hon'ble Court is deemed just and proper in the facts, features and circumstances of the case."

2. The learned counsel for the petitioner submits that the grievance of the petitioner has also been projected by way of Ext.P2 application which is pending consideration before the 1st respondent and that the petitioner will be satisfied, if a direction is given to the said respondent to have it considered and disposed of within a reasonable time.

3. Heard both the sides.

4. After hearing both the sides, the writ petition is disposed of, directing the 1st respondent to conduct a spot inspection and forward recommendation/remarks to the District Level Monitoring Committee, the 2nd respondent herein, within one month from the date of receipt of a copy of this judgment. The matter shall be finalised by the 2nd respondent after affording an opportunity of hearing to the petitioner at the earliest, at any rate, within a further period of 'one month' thereafter

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

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

sj