

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 14149 of 2010 (P)

PETITIONER(S):

**PETER DENIEL, KARIKKOTTU HOUSE,
NIRANAM P.O., KADAPRA, THIRUVALLA.**

BY ADV. SRI.T.P.PRADEEP

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
PATHANAMTHITTA.**
- 2. THE R.D.O., REVENUE DIVISIONAL OFFICE,
THIRUVALLA.**
- 3. THE VILLAGE OFFICER, KADAPRA,
THIRUVALLA TALUK.**

BY GOVERNMENT PLEADER SRI.MANOJ P. KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
27-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 14149 of 2010 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE RELEVANT PAGES OF R.C.BOOK.

**EXT.P2: TRUE COPY OF THE MAHAZAR PREPARED BY THE 3RD RESPONDENT
DTD.3.3.2010.**

EXT.P3: TRUE COPY OF THE JUDGMENT DTD.13.2.2009 IN WP(C) NO.4304 OF 2009.

EXT.P4: TRUE COPY OF THE INTEIRM ORDER DTD.3.4.2009 IN WP(C) NO.11206/2009.

EXT.P5: TRUE COPY OF THE INTERIM ORDER DTD.6.4.2010 IN WP(C) NO.10516/2010.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. VINOD CHANDRAN, J

W.P(C) No. 14149 of 2010

Dated this the 27th day of July, 2015

J U D G M E N T

The writ petition has filed on the ground that the seizure made by Ext.P2 mahazar is not by the authorized officer. The contention of the petitioner is that the 3rd respondent who seized the vehicle is not an authorized officer who has power to seize the vehicle under the Kerala Conservation of Paddy Land and Wet Land Act. The said contention has to be accepted. In the said circumstance, the writ petition would stand allowed. No proceedings pursuant to the seizure shall be effected.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge