

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. 10794 of 2015 (Y)

PETITIONER:

**K.N.SURESH, AGED 49 YEARS,
S/O.K.K.NARAYANAN, KEEZHATH HOUSE
MUDAVOOR P.O., ERNAKULAM DT. 686 669.**

**BY ADVS.SRI.AVANEESH KOYIKKARA
SRI.LINDONS C.DAVIS**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF AGRICULTURE, SECRETARIAT,L
THIRUVANANTHAPURAM-695001**
- 2. LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CONVENER,
AGRICULTURAL OFFICER, KRISHI BHAVAN,
MUVATTUPUZHA -686 669.**
- 3. AGRICULTURAL FILED OFFICER,
KRISHI BHAVAN, MUVATTUPUZHA -686 669.**

BY GOVERNMENT PLEADER SRI.P.K.SOYUZ

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

mbr/

WP(C).No. 10794 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1 - TRUE COPY OF LETTER DATED 08.12.2014 ALONG WITH RELEVANT
PAGE OF DRAFT DATA BANK REGISTER ISSUED BY THE
3RD RESPONDENT.**

**EXT.P2 - TRUE COPY OF APPLICATION DATED 14.12.2014 SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.10794 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 certiorari or any other appropriate writ or order or direction quashing Ext.P1 to extend it showing the petitioners property as paddy land/wet land in the Data Bank Register;

ii) To issue a Writ of mandamus or any other appropriate writ or order or direction directing the 2nd respondent to consider and pass orders on Exhibit P2 after making the physical verification of the land within a time frame fixed by this Hon'ble Court;

iii) To grant such other and further reliefs as are just, proper and necessary in the facts and circumstances of the case."

2. The case of the petitioner is that, the property having an extent of 20.91 Ares comprised in Re.Survey Nos.909/15-2, 909/17-2 of Velloorkunnam Village in Ernakulam District belonging to the petitioner, is a 'garden land'. But the said property came to be wrongly included in the Data Bank Register as 'nilam', which made the petitioner to submit Ext.P2 application before the 2nd respondent. Delay in considering the same made

the petitioner to approach this Court by filing the writ petition.

3. Heard the learned Government Pleader as well.

4. In the above circumstances, there will be a direction to the 2nd respondent to consider and pass appropriate orders on Ext.P2 in view of the ruling rendered by a Division Bench of this Court in ***Adani Infrastructure & Developers Pvt. Ltd. v. State of Kerala*** (2015 (1) KLT 651), after affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 2nd respondent, for further steps.

The writ petition is disposed of.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

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