

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 11829 of 2015 (C)

PETITIONER(S):

**M.K.PRABHAKARAN,
S/O.K.RAGHAVAN, KARTHIKA NILAYAM,
KADAPRA - MANNAR P.O., NIRANAM.**

**BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR**

RESPONDENT(S):

- 1. THE CONVENER OF THE LOCAL LEVEL MONITORING
COMMITTEE/AGRICULTURAL OFFICER,
KRISHI BHAVAN, NIRANAM - 689 621.**
- 2. THE VILLAGE OFFICER,
NIRANAM VILLAGE - 689 621.**

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 11829 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF THE SETTLEMENT DEED DOCUMENT NO.1838/1983 OF
MANNAR SUB REGISTRY.**

EXT.P2: TRUE COPY OF THE PHOTOGRAPHS OF PETITIONER'S LAND.

EXT.P3: TRUE COPY OF THE REPRESENTATION DTD.10.3.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 11829 of 2015

Dated this the 9th day of April, 20..

J U D G M E N T

The petitioner has approached this Court with the following prayers:

- “i) issue a writ of mandamus or any other appropriate writ order of direction, commanding 1st respondent to remove the petitioner's land comprised in Resurvey No.566/11 of Niranam Village from the 'Data Bank' prepared as per Section 5(4)(i) of the Kerala Conservation of Paddy Land and Wetland Act in Niranam Panchayath.*
- ii) issue a writ of mandamus or any other appropriate writ order of direction, commanding 1st respondent to dispose off Ext.P3 representation preferred by the petitioner forthwith
and*
- iii) issue such other appropriate writ, order or direction as this Hon'ble Court deem fit and proper, in the 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.P3 representation and that the petitioner will be satisfied, if a direction is given to the 1st respondent to have it considered and finalized within a reasonable time.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P3, in accordance with law, also in the light of the Division Bench decision of this Court in **Adani Infrastructure & Developers Pvt. Ltd. v. State of Kerala (2015 (1) KLT 651)**. It shall be done after conducting a site inspection with notice to the petitioner and after giving an opportunity of hearing, at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this 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.