

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 11978 of 2015 (V)

PETITIONER(S):

**MULANKUNNATHUKAVU GRAMA PANCHAYAT,
MUKLANKUNNATHUKAVU P O, PIN-680 551,
REPRESENTED BY ITS PRESIDENT.**

BY ADV. SRI.SHEEJO CHACKO

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
THRISSUR - 680 001.**
- 2. THE REVENUE DIVISIONAL OFFICER AND CHAIRMAN,
DISTRICT LEVEL MONITORING COMMITTEE, THRISSUR - 680 003.**
- 3. THE AGRICULTURAL OFFICER
KRISHI BHAVAN, MULANKUNNATHUKAVU, PIN - 680 581.**
- 4. THE VILLAGE OFFICER,
KILLANUR, KILLANUR P.O., THRISSUR - 680 005.**
- 5. SMT RAJALAKSHMI
ALUKKAL HOUSE, MULANKUNNATHUKAVU P O, PIN-680 581**

**R1 TO R4 BY GOVERNMENT PLEADER SRI.P.K.SOYUZ
R5 BY ADV. SRI.IEANS.C.CHAMAKKALA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 11978 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1:-TRUE COPY OF THE APPLICATION DTD 31/12/2013 SUBMITTED BY THE
5TH RESPONDENT BEFORE THE LOCAL LEVEL MONITORING COMMITTEE
ALONG WITH REPORT AND ORDERS PASSED THEREON.**

**P2:-TRUE COPY OF THE PROCEEDINGS OF THE DISTRICT LEVEL AUTHORIZED
COMMITTEE DTD 11/9/2014.**

P3:-TRUE COPY OF THE APPLICATION FOR BUILDING PERMIT DTD 4/2/2015.

P4:-TRUE COPY OF THE LAND TAX RECEIPT DTD 22/4/2014.

P5:-TRUE COPY OF THE RESOLUTION BEARING NO 41(3/2015 DTD 19/3/2015.

P6:-TRUE COPY OF THE REPRESENTATION DTD 16/3/2015.

P7:-TRUE COPY OF THE NOTICE DTD 19/3/2015.

P8:-TRUE COPY OF THE ORDER DTD 25/3/2015 ISSUED BY THE 1ST RESPONDENT.

P9:-TRUE COPY OF THE APPEAL DTD 30/3/2015.

P10:-TRUE COPY OF THE STAY PETITION DTD 30/3/2015.

P11:-TRUE COPY OF THE POSSESSION CERTIFICATE DTD 28/3/2015.

P12:-TRUE COPY OF THE ORDER DTD 7/7/2014 ISSUED TO VARGHESE.

P13:-TRUE COPY OF THE ORDER DTD 7/7/2014 ISSUED TO ONE PREETHA.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. VINOD CHANDRAN, J.

W.P.(C) No. 11978 of 2015 (V)

Dated this the 8th day of July, 2015

J U D G M E N T

The petitioner challenges Exts.P2 and P8 orders, by which the District Level Authorized Committee constituted under the Kerala Conservation of Paddy Land and Wet Land Act, 2008 (for brevity 'the Act'), granted permission to the 5th respondent to convert the land for building a residential house. The petitioner is the Local Self Government Institution and admittedly there is an appeal filed before the Collector by the petitioner under Section 9(6) of the Act.

2. In such circumstance, the petitioner would have to agitate their contentions before the District Collector, the appellate authority, and also seek for interim orders from the appellate authority.

3. The writ petition would stand closed leaving open all the contentions of either parties. The petitioner shall approach the appellate authority within one week and the

appellate authority shall consider the interim application, if any, filed within one month thereafter. The status quo order granted in the writ petition shall continue till then and later the issue shall be governed by the orders passed by the District Collector.

Sd/-
K.VINOD CHANDRAN,
JUDGE