

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 12489 of 2015 (I)

PETITIONER(S) :-

SMT. LAKSHMIKUTTY, AGED 72 YEARS
W/O.NARAYANAN, D/O.KUTTY PARACKAL
RESIDING AT PULICKALEDATH HOUSE, VANNAPURAM VILLAGE
KALIYAR P.O.

BY ADVS.SRI.S.SREEKUMAR (SR.)
SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA

RESPONDENT(S) :-

1. THE DISTRICT COLLECTOR,
IDUKKI, CIVIL STATION, PAINAVU.
2. THE REVENUE DIVISIONAL OFFICER,
THODUPUZHA SUB DIVISION, CIVIL STATION, PAINAVU
3. THE TAHASILDAR,
THODUPUZHA, MINI CIVIL STATION.
4. THE VILLAGE OFFICER,
VANNAPPURAM, VANNAPPURAM P.O.

BY GOVERNMENT PLEADER SRI.MOHAMED SHAFI M.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C).No. 12489 of 2015 (I)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1: TRUE COPY DOCUMENT NO.1037/2006 OF SRO KARIKODE.

EXT.P2: TRUE COPY OF RELEVANT PAGE OF THE DATA BANK.

EXT.P3: TRUE COY OF NOC DATED 13/03/2015 FROM THE VANNAPPURAM
PANCHAYAT.

EXT.P4: TRUE COPY OF PERMIT DATED 27/03/2015 OBTAINED BY THE
PETITIONER FROM MINING AND GEOLOGY DEPT.

EXT.P5: TRUE COPY OF STOP MEMO DATED 04/04/2015.

EXT.P6: TRUE COPY OF T.P.NO.3165 OF VANNAPPURAM VILLAGE.

EXT.P7: TRUE COPY OF APPLICATION FILED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT.

EXT.P8: TRUE COPY OF RECEIPT ISSUED FROM THE OFFICE OF THE 2ND
RESPONDENT.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.12489 of 2015

Dated this the 12th day of May 2015

J U D G M E N T

The petitioner approached the Revenue Divisional Officer by Ext.P7 seeking permission to use the land for other purpose in terms of Clause 6 of the Land Utilisation Order. The petitioner claims that the property referred in the stop memo issued by the Village Officer is not included as 'paddy' or 'wet land' in the draft data bank prepared under the Act.

2. If that be so, after verifying the nature of the land by the Agricultural Officer, needful shall be done by the 2nd respondent within a period of two months from the date of receipt of a copy of this judgment. In the meanwhile, it is open for the Revenue Divisional Officer to permit the petitioner to level the land, if the land in question will not come within the ambit of Act 28 of 2008. Necessary permission shall be granted to the petitioner to level the land, after verifying the details in the draft data bank, within a period of three weeks from today.

This writ petition is disposed of as above.

**Sd/-
A. MUHAMED MUSTAQUE
JUDGE**