

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.14423 of 2015 (C)

PETITIONER:

**JOHNY,S/O.CHACKO,AGED 60 YEARS,
PALLATH NAMBIAR PARAMBIL HOUSE,
THODUPUZHA TALUK,IDUKKI DISTRICT.**

BY ADV.SRI.P.M.ZIRAJ

RESPONDENT:

**THE REVENUE DIVISIONAL OFFICER (R.D.O),
IDUKKI,IDUKKI DISTRICT-685 588.**

BY SENIOR GOVT. PLEADER SRI.MUHAMMED SHAFFI.M

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

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WP(C).No.14423 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHBITI P1:TRUE COPY OF THE TAX RECEIPT DATED 8-1-2014 ISSUED BY THE
KARIKKODE VILLAGE OFFICER IN CONNECTION WITH THE SAID
PROPERTY.**

**EXHBITI P2:TRUE COPY OF THE POSSESSION CERTIFICATE DATED 27-2-2015
ISSUED BY THE KARIKKODE VILLAGE OFFICER.**

**EXHBIT P3:TRUE COPY OF THE LOCATION SKETCH ISSUED BY THE
KARIKKODE VILLAGE OFFICER.**

**EXHBITI P4:TRUE COPY OF THE RELVANT PAGES OF DRAFT DATA BANK
ISSUED BY THE VILLAGE OFFICER,KARIKKODE VILLAGE.**

**EXHBITI P5:TRUE COPY OF THE APPLICATION DATED 1-4-2015 SUBMITTED BY
THE PETITIONER BEFORE THE RESPONDENT UNDER THE
PROVISIONS OF THE KERALA LAND UTILIZATION OREDER,1967.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.14423 of 2015
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Dated this the 12th day of May, 2015

JUDGMENT

Petitioner is the owner of property having a total extent of 59 Ares situated in Sy.No.63/2 of Karikkode Village, Thodupuzha Taluk, Idukki District. Petitioner submits that the property is mentioned as nilam in the village records and basic tax register. Petitioner further submits that the property referred is not covered under Act 28 of 2008 and classified as paddy or wet land. Therefore, petitioner approached the Revenue Divisional Officer in terms of clause 6(1) of the Kerala Land Utilization Order, 1967 seeking permission to utilize the land for other purposes.

2. In that view of the matter, after verifying the nature of the land from the Agricultural Officer, Revenue Divisional Officer, Idukki shall consider Ext.P5 application after issuing notice to the petitioner within a period of two months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/13/05/15