

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

WP(C).No. 14543 of 2015 (P)

PETITIONER:

**SHAMEER BABU, S/O. MUHAMMED HAJI,
AGED 36 YEARS, KALLUMOOTTAKKAL HOUSE,
KANMANAM P.O, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.K.RAKESH**

RESPONDENT(S):

- 1. THE DISTRICT LEVEL AUTHORIZED COMMITTEE,
REPRESENTED BY THE REVENUE DIVISIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT, PIN -676 101.**
- 2. THE SECRETARY,
VALAVANNUR GRAMA PANCHAYATH,
KALPAKANCHERY P.O,
MALAPPURAM DISTRICT, PIN -676 551.**

R1 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 14543 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1 : TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT
DATED,3-7-2014 AS NO.A4 1493/14.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 14543 of 2015

Dated this the 28th day of May, 2015.

JUDGMENT

The petitioner, who is having a small extent of land which is admittedly is a paddy field as per revenue records as well as entries in the data bank, has applied for building permit before the first respondent District Level Authorized Committee, which was rejected for the reason that it is a paddy field. The petitioner's property is within the local limits of the Panchayath area. As per Rules, the petitioner has to approach the first respondent seeking exemption in the terms of construction of a residential building. The grievance projected in the writ petition is that though the petitioner approached the first respondent, they are reluctant to receive the application.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

3. The counsel for the petitioner submitted that if this Court permits, the petitioner shall file a fresh application

before the first respondent within a period of one week and the petitioner would be satisfied if a direction is given to the first respondent to receive the application and consider and pass appropriate orders as contemplated under section 9 of the Kerala Conservation of Paddy Land and Wet Land Act.

In the light of the said submission, this writ petition is disposed of permitting the petitioner to file a representation before the first respondent within a period of one week and in the event of filing such representation, the same shall be considered and appropriate orders be passed after affording the petitioner an opportunity of being heard, within a period of one month thereafter.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.