

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 15408 of 2015 (A)

PETITIONER(S):

**MOHAMMADALI HAJI, AGED 63 YEARS
S/O. ALAVI HAJI, MALAYAMBILLY THRIKKULAM
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT(S):

**THE LOCAL LEVEL MONITORING COMMITTEE,
(THIRURANGADI GRAMA PANCHAYATH),
REPRESENTED BY ITS CONVENOR,
THE AGRICULTURAL OFFICER, KRISHI BHAVAN,
THIRURANGADI PO, MALAPPURAM DISTRICT-76306.**

BY GOVERNMENT PLEADER SRI.P.K.SOYUS

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE DOCUMENT BEARING NO.902/1977 OF SRO
THRURANGADI**
- EXHIBIT P2: TRUE COPY OF THE LAND TAX RECEIPT IN RESPECT OF PETITIONERS
PROPERTY**
- EXHIBIT P3: TRUE COPY OF THE POSSESSION CERTIFICATE IN RESPECT OF
PETITIONERS PROPERTY**
- EXHIBIT P4: TRUE COPY OF THE PHOTOGRAPH OF THE PETITIONERS PROPERTY**
- EXHIBIT P5: TRUE COPY OF THE RELEVANT PAGES OF THE DATA BANK**
- EXHIBIT P6: TRUE COPY OF THE REQUEST OF THE PETITIONERS SUBMITTED
BEFORE THE RESPONDENT SEEKING TO DELETE THE ENTRY OF THE
PROPERTY FROM THE DATA BANK**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. VINOD CHANDRAN, J.

W.P(C). No.15408 of 2015

Dated this the 26th day of May, 2015.

JUDGMENT

The petitioner in the above writ petition contends that the property of the petitioner in Survey No.269 of Thirurangadi Village in Malappuram District was obtained by the petitioner by Sale Deed No.902/1977 of the S.R.O., Thirurangadi, produced at Ext.P1. The petitioner is aggrieved with the fact that the petitioner is not being issued with a building permit, since the same has been included in the Data Bank prepared in terms of Kerala Conservation of Paddy Land and Wet Land Act, 2008 (for brevity, Act of 2008). The petitioner contends that the land of the petitioner is not cultivated and the adjacent lands have been filled up and constructions made thereon. However, since the property has already been included in the Data Bank prepared in terms of the Act of 2008, the petitioner would have to approach the Local Level Monitoring Committee, the respondent herein, for

removing the same from the Data Bank as had been laid down in **Adani Infrastructure and Developers Pvt. Ltd. v. State of Kerala [2015 (1) KLT 651].**

2. The petitioner is also said to have filed Ext.P6 request before the authorities under the Act of 2008.

In such circumstances, if Ext.P6 is received in original with the respondent, the same shall be considered, if necessary after conducting a site inspection and orders be passed in accordance with law, as has been stated in the aforecited judgment. The orders shall be passed at any rate within three months from the date of production of the certified copy of this judgment.

The writ petition is disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE

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