

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 15483 of 2015 (I)

PETITIONER :

**P.B.SADIQUE, AGED 24 YEARS,
PONGATHIL HOUSE, VENNALA.P.O.,
ERNAKULAM, KOCHI-23.**

**BY ADVS.SMT.K.P.SANTHI
SRI.R.JAYAKRISHNAN (MUTHUKULAM)
SRI.RILGIN V.GEORGE
SMT.E.U.DHANYA**

RESPONDENTS :

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE LOCAL LEVEL MONITORING COMMITTEE,
KRISHI BHAVAN, AMBALLOOR, KANJIRAMATTOM.P.O.,
ERNAKULAM-682315.**

BY GOVERNMENT PLEADER SRI. SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 15483 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE PETITIONER'S APPLICATION DTED 1-12-2014
 SUBMITTED TO 2ND RESPONDENT.**

**EXT.P2: TRUE COPY OF THE ORDER DATED 14-5-2015 OF THE 2ND
 RESPONDENT.**

RESPONDENTS EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. VINOD CHANDRAN, J.

W.P(C). No.15483 of 2015

Dated this the 26th day of June, 2015.

JUDGMENT

The petitioner is the owner of a property having an extent of 10 cents comprised in Block No.22, Re-survey No.349/6 of Amballoor Village in Kanayannur Taluk of Ernakulam District. The petitioner is aggrieved with the fact that the said property has been wrongly included as 'Nilam' in the Draft 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 there is no paddy cultivation in the land for the past more than 30 years. It is also contended that the neighbouring properties are also garden lands with coconut trees and other trees, aged more than 30 years. However, since the property has already been included in the Draft 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.P1 application before the authorities under the Act of 2008.

In such circumstances, if Ext.P1 is received in original with the 2nd respondent, the same shall be considered, 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

sp