

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

WP(C).No. 15790 of 2015 (W)

PETITIONER(S) :

**JOBY T.G., AGED 40 YEARS,
S/O.GEORGE, KEEZHTHARAYIL HOUSE, OORAMANA P.O.,
MEMURY VILLAGE, UVATTUPUZHA TALUK.**

BY ADV. SRI.R.DIVAKARAN

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT, CIVIL STATION,
KAKKANAD - 682 831.**
- 2. REVENUE DIVISIONAL OFFICER,
FORT COCHIN, COCHIN - 682 001.**
- 3. TAHSILDAR,
KAYANNUR TALUK, ERNAKULAM - 682 011.**
- 4. THE VILLAGE OFFICER,
NADAMA, TRIPUNITHURA - 682 301.**
- 5. AGRICULTURAL FIELD OFFICER,
KRISHIBHAVAN, TRIPUNITHURA.**
- 6. SUB INSPECTOR OF POLICE,
HILL PALACE POLICE STATION, TRIPUNITHURA - 682 301.**

BY SR.GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 15790 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: A TRUE COPY OF THE LETTER OF DISTRICT COLLECTOR,
ERNAKULAM DATED 09.03.2013 ADDRESSED TO CONVENER,
LOCAL LEVEL MONITORING COMMITTEE, TRIPUNITHURA.**

**EXHIBIT P2: A TRUE COPY OF RELEVANT PORTION OF IDENTIFICATION DETAIL
CONCERNING THE PROPERTY IN SURVEY NO. 1322 OF NADAMA
VILLAGE.**

**EXHIBIT P3: A TRUE COPY OF LETTER DATED 07.04.2015 OF
THE 5TH RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE

Msd.

K. VINOD CHANDRAN, J.

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W.P.(C) No.15790 of 2015 - W

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Dated this the 18th day of June, 2015

J U D G M E N T

The petitioner is aggrieved with the seizure of the vehicle on an allegation of violation of the provisions of the Kerala Conservation of Paddy Land and Wet Land Act, 2008 (for brevity, Act of 2008). The seizure itself was effected on 09.01.2015. The petitioner contends that, the land in which the operations were carried on was converted long back and even in the draft data bank, the subject land is shown as converted land that too converted 10 years back. The report of the 5th respondent / the Agricultural Field Officer, Tripunithura to that end is also produced at Ext.P3. The petitioner only contends that the vehicle has been remaining with the 6th respondent / the Sub Inspector of Police from January 2015 and no proceedings have been taken.

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2. In such circumstance, the 6th respondent shall immediately on receipt of the certified copy of this judgment, transmit the papers to the District Collector, the 1st respondent herein, if not already transmitted, at any rate within a week from the date of production of the certified copy of this judgment. The petitioner shall appear before the District Collector on 01.07.2015 at 11 a.m on which date, the petitioner shall be given a date of hearing and allowed to produce any material to substantiate his contention before that date. The District Collector if necessary shall call for a report from the Village Officer as to the nature and lie of the land and dispose of the matter finally within two months from the date of appearance of the petitioner.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.