

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

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

WP(C).No. 15813 of 2015 (B)

PETITIONER(S) :

PARAYIL MOHAMMED,
AGED 44 YEARS,
S/O.HAMZA, RESIDING AT PARAYIL HOUSE,
POST PARAMMALANGADI, VIA KALPAKANCHERRY,
TIRUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.C.M.MOHAMMED IQUABAL.

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE AGRICULTURAL
DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. THE DISTRICT COLLECTOR,
MALAPPURAM,
COLLECTORATE, POST MALAPPURAM, PIN - 676 505.
3. THE AGRICULTURAL OFFICER,
CHERIYAMUNDAM AGRICULTURE OFFICE,
POST CHERIYAMUNDAM - 676 106.
4. THE LOCAL LEVEL MONITORING COMMITTEE
CHERIYAMUNDAM AGRICULTURAL OFFICE,
POST CHERIYAMUNDAM - 676 106,
REPRESENTED BY ITS CONVENER.

BY SPECIAL GOVERNMENT PLEADER SRI. SOYUZ.

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

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT. P1- TRUE COPY OF THE DOCUMENT NO.2150/2008 OF SRO, TIRUR
DATED 31.5.2008.

EXT. P2- THE TRUE COPY OF THE POSSESSION CERTIFICATE DATED
21.5.2015.

EXT. P3- THE TRUE COPY OF THE NOTICE ISSUED BY TH CHERIAMUNDAM
GRAMA PANCHAYATH DATED 17.4.2015.

EXT. P4- THE TRUE COPY OF HTE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE CHERIAMUNDAM GRAMA PANCHAYATH
DATED 18.5.2015.

EXT. P5- THE TRUE COPY OF THE APPLICATION SUBMITTED BEFORE THE
4TH RESPONDENT DATED 20.5.2015.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

K. VINOD CHANDRAN, J.

W.P.(C) No. 15813 of 2015 (B)

Dated this the 28th day of May, 2015

J U D G M E N T

The petitioner along with his wife had purchased an extent of 15 cents in R.S. No.215/5 of Cheriya mundam village of Tirur Taluk as per Ext.P1 document. The intention behind the purchase is said to be construction of residential house. However, the said land is included in the Data Bank for the area as per the Kerala Conservation of Paddy Land and Wet Land Act, 2008 (hereinafter referred to as the 'Act' for short) and is also shown as 'nilam' in the revenue records.

2. The petitioner has made an application before the Local Level Monitory Committee (hereinafter referred to as 'LLMC' for short), constituted under the Act for conversion of 10 cents of land to facilitate construction of their residential house. The application filed is seen produced at Ext.P5.

3. As per the Kerala Conservation of Paddy Land and Wet Land Rules, 2008, specifically Rule 5(2), the applications received before the LLMC has to be forwarded with a recommendation to the District Level Monitoring Committee (hereinafter referred to as 'DLMC' for short) within 60 days from the date of filing of the said application. The DLMC has also to take a decision within one month thereafter.

4. In such circumstance, the LLMC shall consider the same and act in accordance with Rule 5(2) of the Kerala Conservation of Paddy Land and Wet Land Rules, 2008.

The writ petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE