

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

WP(C).No. 16597 of 2015 (y)

PETITIONER(S) :

**RANI, AGED 56 YEARS,
W/O.JOHNY, THACHIL HOUSE, KUTHIYATHODU,
PUTHENVELIKKARA, PARAVUR, ERNAKULAM DISTRICT.**

BY ADV. SRI.R.RAJESH

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM-682 023..**
- 2. THE ADDITIONAL TAHSILDAR,
NORTH PARAVUR, ERNAKULAM-688 518.**
- 3. THE AGRICULTURAL OFFICER,
KRISHI BHAVAN, KUNNUKARA P.O., ERNAKULAM-688 518..**
- 4. THE LOCAL LEVEL MONITORING COMMITTEE,
KUNNUKARA, REPRESENTED BY ITS CONVENOR, KUNNUKARA P.O.,
ERNAKULAM-683 578.**

BY ADV. GOVERNMENT PLEADER SRI.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 06-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1:** TRUE COPY OF THE REPRESENTATION DATED 05/10/2012
PREFERRED BY THE PETITIONER BEFORE THE FIRST
RESPONDENT.
- EXT.P2:** TRUE COPY OF THE REPORT DATED 20/12/2012 OF
THE SECOND RESPONDENT.
- EXT.P3:** TRUE COPY OF THE MINUTES OF THE MEETING DATED 19/01/2013
OF THE FOURTH RESPONDENT.
- EXT.P4:** TRUE COPY OF THE COMMUNICATION ISSUED BY
THE THIRD RESPONDENT ON 17/11/2014 TO THE PETITIONER'S
HUSBAND.
- EXT.P5:** TRUE COPIES OF THE PHOTOGRAPHS EVIDENCING THE NATURE
AND LIE OF PETITIONER'S PROPERTY.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J.
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W.P.(C) No.16597 of 2015 - Y
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Dated this the 6th day of July, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

“i) Issue a writ of mandamus, or any other writ, order or direction directing the fourth respondent to delete the properties of the petitioner comprised in Survey No.81/1A, 81/2/14 and 81/1B from the data bank prepared by the fourth respondent pertaining to the area of Puthenvelikkara Village.

ii) Issue a writ of mandamus, or any other writ, order or direction directing the first respondent to consider Ext.P1 representation forthwith by taking into account Exts.P2 to P4.

lii) To declare that the properties comprised in Survey No.81/1A, 81/2/14 and 81/1B is to be deleted from the data bank prepared by the fourth respondent pertaining to the area of Puthenvelikkara Village of Puthen velikara Village and

vi) Pass such other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. Heard both sides in detail.

4. After going through the pleadings and proceedings, it is seen that the property of the petitioners was wrongly included in the Data Bank Register as a 'paddy land' and that the same is now situated as a 'converted land' and it was found that the land is found as a joint property along with that of Mr.Johny Thachil and with quite a lot of improvements, including age old Coconut palms, Arecanut and Mahogany. The factual position is conceded by the 3rd respondent in the report as aforesaid.

5. In the said circumstances, there will be a direction to the 4th respondent to take necessary steps to delete the properties comprised in Survey Nos. 81/1A, 81/2-14 and 81/1B of Puthenvelikkara Village belonging to the petitioner from the Data Bank Register and appropriate steps shall be taken by the competent authority for causing the notification of the same, if

necessary, by way of appropriate proceedings. The proceedings as above shall be finalised at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 4th respondent, for further steps.

The writ petition is disposed of.

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

SB

// true copy //

P.A to Judge.