

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 17315 of 2015 (L)

PETITIONER(S) :

**MINI JOSE, AGED 44 YEARS,
W/O.JOSE, KALATHUPARAMBIL HOUSE, IRINJALAKUDA,
THRISSUR DISTRICT.**

**BY SRI.RENJITH THAMPAN (SENIOR ADVOCATE)
ADV. SMT.P.R.REENA**

RESPONDENT(S) :

**LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CONVENER, AGRICULTURAL OFFICER,
KRISHI BHAVAN, IRINJALAKUDA, THRISSUR DISTRICT, PIN- 680 121.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE SALE DEED NO.1281/2014 DATED 14.05.2014.**
- P2: PHOTOGRAPHS SHOWING THE PETITIONER'S PROPERTY.**
- P3: TRUE COPY OF THE RELEVANT PAGE OF THE DRAFT DATA BANK
PREPARED BY AGRICULTURAL OFFICER, KRISHI BHAVAN,
IRINJALAKUDA.**
- P4: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE RESPONDENT DATED 20.05.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

Msd

K. VINOD CHANDRAN, J

W.P(C) No. 17315 of 2015

Dated this the 10th day of June, 2015

J U D G M E N T

The petitioner in the above writ petition contends that the property of the petitioner in Survey No.677/3 of Manavalassery Village in Thrissur District was obtained by the petitioner by Sale Deed No.1281/2014 produced at Ext.P1. The petitioner is aggrieved with the fact that the petitioner is not being issued with a building permit, since the property has been included 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 there is no paddy cultivation in and around the petitioner's property. It is also impossible for cultivating paddy in the said property and that the land of the petitioner is not fit for cultivation and the adjacent lands have been filled up and constructions made thereon. 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.P4 representation before the authorities under the Act of 2008.

3. In such circumstances, if Ext.P4 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)

jma

//true copy//

P.A to Judge