

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. 17438 of 2015 (D)

PETITIONER(S):

**MARTIN N.V, AGED 44 YEARS,
S/O. VARGHESE N.P., NEDUNGANDAN HOUSE, ANGAMALY P.O.
ERNAKULAM - 683 572.**

**BY ADVS.SRI.AVANEESH KOYIKKARA
SRI.LINDONS C.DAVIS**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF AGRICULTURE, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CONVENER, AGRICULTURAL OFFICER,
KRISHI BHAVAN, KARUKUTTY - 683 576.**
- 3. AGRICULTURAL FIELD OFFICER,
KRISHI BHAVAN, KARUKUTTY - 683 576.**

BY 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:**

PJ

WP(C).No. 17438 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1- TRUE COPY OF THE RELEVANT PAGES OF DATA BANK REGISTER.

**EXHIBIT-P2- TRUE COPY OF THE APPLICATION DATED 15/10/2014 SUBMITTED BY
THE PETITIONER BEFORE THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. VINOD CHANDRAN, J.

W.P(C). No.17438 of 2015

Dated this the 18th day of June, 2015.

JUDGMENT

The petitioner is the absolute owner in possession of property having an extent of 8.09 Ares comprised in Block No.2, Resurvey No.299/6-2 of Karukutty Village in Ernakulam District. The petitioner is aggrieved with the fact that the same has been wrongly included in the Data Bank prepared in terms of Kerala Conservation of Paddy Land and Wet Land Act, 2008 (for brevity, Act of 2008) as 'paddy land'. The petitioner contends that the land was reclaimed decades back before the commencement of the Act, 2008 and that the adjacent lands are not paddy lands. It is submitted that the grievance of the petitioner has already been projected by way of Ext.P2 before the 2nd respondent Local Level Monitoring Committee, which is stated to be pending consideration. The prayer is to cause the same to be considered and disposed of within a reasonable time in view of the ruling

rendered by a Division Bench of this Court in **Adani Infrastructure & Developers Pvt. Ltd. v. State of Kerala (2015 (1) KLT 651)**.

2. In such circumstances, if Ext.P2 is received in original, the same shall be considered, if necessary after conducting a site inspection and orders passed in accordance with law, as has been declared 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