

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No. 17723 of 2015 (M)

PETITIONER :

**SABEENA SIMON, AGED 50 YEARS,
W/O.JOSEPH SIMON, RESIDING AT ILENJIKKAL HOUSE,
KAKKANADU, ERNAKULAM.**

**BY ADVS.SRI.JAISHANKAR V.NAIR
SMT.ARATHI KARUNAKARAN
SMT.PARVATHY S.KRISHNAN**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
KAKKANAD, ERNAKULAM, PIN: 682 030.**
- 2. THE LOCAL LEVEL MONITORING COMMITTEE,
KAKKANADU, REPRESENTED BY AGRICULTURAL OFFICER,
KAKKANADU, ERNAKULAM -682 030.**
- 3. THE VILLAGE OFFICER,
KAKKANADU, ERNAKULAM - 682 030.**

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 17723 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE APPLICATION DATED 30/03/2015.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. VINOD CHANDRAN, J.

W.P.(C) No. 17723 of 2015 (M)

Dated this the 15th day of June, 2015

J U D G M E N T

The petitioner is the absolute owner in possession of land comprised in Survey Nos.413/1, 413/2 and 413/3 in Block No.9, Kakkanadu Village, Kanayyanur Taluk, Ernakulam. 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 'nilam'. 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.P1 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

tune with 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.P1 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