

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WP(C).No. 21145 of 2015 (P)

PETITIONER:

**K.P. DAVIS, S/O.KOCHU PAILO,
AGED 35 YEARS, KAVALAKKATTU HOUSE,
VADAMA P.O., MUKUNDAPURAM TALUK,
THRISSUR DISTRICT, PIN- 680 736.**

**BY ADVS.SRI.BINOY VASUDEVAN,
SMT.P.G.BABITHA.**

RESPONDENTS:

- 1. THE REVENUE DIVISIONAL OFFICER,
THRISSUR -680 001.**
- 2. THE TAHSILDAR, TALUK OFFICE,
IRINJALAKKUDA -680 121.**
- 3. THE VILLAGE OFFICER,
VILLAGE OFFICE, IRINJALAKKUDA- 680 121.**

BY GOVT. PLEADER SRI.THOMAS JOHN AMBOOKEN.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 25-09-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1:- TRUE COPY OF THE DOCUMENT NO. 636/2007 OF S.R.O. IRINJALAKUDA.
- P2:- TRUE COPY OF THE LAND TAX RECEIPT DTD. 01/09/2014 ISSUED BY THE 3RD RESPONDENT.
- P3:- TRUE COPY OF THE CERTIFICATE DTD. 11/05/2010 ISSUED BY THE 3RD RESPONDENT.
- P4:- TRUE COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT NO. K DIS 20048/2010/B2 DTD. 24/08/2011.
- P5:- TRUE COPY OF THE RELEVANT PAGES OF THE DATE BANK.
- P6:- TRUE COPY OF THE REPRESENTATION DTD. 24/05/2015.
- P7:- TRUE COPY OF THE JUDGMENT DTD. 30/06/2015 IN WP(C).NO.17204/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.21145 of 2015

Dated this the 25th day of September, 2015

JUDGMENT

The petitioner approached the first respondent under Clause 6 of the Kerala Land Utilisation Order, 1967(for short, the Order).

2. The petitioner's case is that his land is a converted land much before the enactment of the Kerala Conservation of Paddy Land and Wet Land Act, 2008 (for short, the “Act 28/2008”).

In view of the claim of the petitioner, the case shall be considered under Clause 6 of the Order by the first respondent, after verifying the draft data bank to find out whether the property of the petitioner is a paddy or wet land under the Act 28/2008. If the land is not classified as above, necessarily, the application of the petitioner shall be considered under Clause 6 of the Order for utilizing other purpose. Needful shall be done within a period of two months from the date of receipt of a copy of this judgment after issuing notice to the petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE