

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 25743 of 2010 (P)

PETITIONER(S):

**DEVAKI, D/O.KOCHU PILLAI,
AMBAT HOUSE, ENATHY P.O, VAIKKOM TALUK,
KOTTAYAM.**

**BY ADVS.SRI.S.SREEKUMAR
SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SMT.HANI P.NAIR**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY PRINCIPAL SECRETARY (REVENUE),
GOVERNMENT SECRETARIAT, TRIVANDRUM.**
- 2. THE DISTRICT COLLECTOR,
CIVIL STATION, KOTTAYAM.**
- 3. THE VILLAGE OFFICER,
VILLAGE OFFICE, KULASHEKHARAMANGALAM.**

R BY GOVERNMENT PLEADER SRI.MANOJ.P.KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AD

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: TRUE COPY OF TANDAPER ACCOUNT NO.9919

**EXHIBIT P2: TRUE COPY OF APPLICATION DATED 10.03.2010 SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT.**

**EXHIBIT P3: TRUE COPY OF REPORT DATED 17.03.2010 SUBMITTED BY THE 3RD
RESPONDENT.**

**EXHIBIT P4: TRUE COPY OF THE REPRESENTATION DATED 02.07.2010 SUBMITTED
BY THE PETITIONER BEFORE THE 1ST RESPONDENT.**

**EXHIBIT P5: TRUE COPY OF COMMUNICATION DATED 28.07.2010 ISSUED BY 2ND
RESPONDENT.**

RESPONDENT'S EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

AD

K.VINOD CHANDRAN, J.

W.P(C) No.25743 of 2010

Dated this the 27th day of July, 2015

JUDGMENT

The petitioner challenges the Ext.P5 order wherein the District Collector had categorically found that no change of description in the Basic Tax Register (BTR) can be made. The same stands affirmed by the decision of Hon'ble Supreme Court in ***RDO V. Jalaja Dileep 2015 (2) KHC 109(SC)***.

2. In such circumstances, the writ petition would stand dismissed, however the petitioner could avail of the remedies provided as per the decision reported in ***Puthampurakal Joseph V. Sub Collector 2015(3) KLT 182*** and ***Kizhakkambalam Grama Panchayath V. Mariumma 2015(2) KLT 516***, provided the petitioner's property is not now included in the data bank. If so included then proceedings could be taken under the

Kerala Conservation of Paddy Land and Wetland Act, 2008.

The writ petition is dismissed with the above reservation.

Sd/-
K.VINOD CHANDRAN
JUDGE

AD