

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

WP(C).No. 24155 of 2015 (T)

PETITIONER :

**M.V. SHAJI
AGED 41 YEARS, S/O. KARUNAN
EDAYATH MEETHAL, NADAKKUTHAZHE P.O.,
VADAKARA, KOZHIKODE, PIN – 673 104.**

**BY ADVS.SRI.M.G.SREEJITH
SRI.ASHOK SURESH
SRI.ABDUL JALEEL ONATH**

RESPONDENT(S) :

- 1. STATE OF KERALA
REP. BY THE SECRETARY, REVENUE DEPARTMENT
SECRETARIATE, THIRUVANANTHAPURAM- 695 001.**
- 2. THE DISTRICT COLLECTOR
KOZHIKODE – 673 020.**
- 3. THE SUB COLLECTOR
KOZHIKODE DISTRICT – 673 020.**
- 4. TAHSILDAR
KOYILANDI TALUK
KOZHIKODE DISTRICT - 673 020. (*CORRECTED)**

***CORRECTED AS**

**TAHASILDAR
VADAKARA TALUK
KOZHIKODE DISTRICT - 673 020.**

***CORRECTED AS PER ORDER DATED 21.08.2015 IN IA 12370/15.**

5. VILLAGE OFFICER
ARIKKULAM VILLAGE, KOYILANDY TALUK
PIN - 673 020 (*CORRECTED)

*CORRECTED AS

VILLAGE OFFICER
NADAKKUTHAZE VILLAGE, VADAKARA TALUK
PIN - 673 620.

*CORRECTED AS PER ORDER DATED 21.08.2015 IN IA 12370/15.

6. AZAD SING
AGE AND NAME OF FATHER NOT KNOWN TO THIS PETITIONER
PUTHERPURAYIL, NADAKKU THAZE, VADAKARA – 673 104.

R1 TO R5 BY GOVT. PLEADER SRI. MANOJ P. KUNJACHAN

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

Mn

...3/-

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF TITLE DEED NO. 1018/2012 OF SRO, VADAKARA.
- EXT.P2 COPY OF NOTICE ISSUED BY 3RD RESPONDENT DATED 4-10-2013.
- EXT.P3 COPY OF REPORT DATED 26-8-2013.
- EXT.P4 COPY OF THE REPLY GIVEN BY THE AGRICULTURAL OFFICER TO THE APPLICATION FILED BY ONE RATHEESH WITH REGARD TO THE PROPERTY BEARING SY.NO. 7/6 DATED 15-2-2013.
- EXT.P5 COPY OF THE PROCEEDINGS DATED 5.5.2015 OF THE 3RD RESPONDENT.
- EXT.P6 COPY OF THE NOTICE DATED 1-7-2015.
- EXT.P7 COPY OF REVISION PETITION PENDING BEFORE THE 1ST RESPONDENT.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.24155 of 2015

Dated this the 9th day of September, 2015.

J U D G M E N T

The petitioner, challenging Ext.P5 proceedings initiated under Act 28/2008, has filed Ext.P7 revision petition before the 1st respondent.

2. The petitioner apprehends that, in the meanwhile, action will be initiated pursuant to Ext.P5 for restoring his land. Considering the pendency of the above revision petition, this Court is of the view that, there shall be a direction to the 1st respondent to dispose of Ext.P7 within a period of 2 months, after giving notice to the petitioner.

3. Till the disposal of Ext.P7, the status quo as on today shall be maintained. It seems that the petitioner has addressed Ext.P7 revision petition to the Secretary, Revenue Department. In fact, the petitioner ought to have addressed Ext.P7 to the Secretary, Agriculture Department, Government of Kerala, who is the competent authority to

hear the revision petition. Therefore, the petitioner shall file a fresh revision petition within 2 weeks of receipt of copy of this judgment before the Secretary, Agriculture Department, and the same shall be disposed within a period of 3 months from the date of filing of fresh petition.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge