

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).No. 25030 of 2015 (C)

PETITIONER(S):

**LUKOSE, AGED 56 YEARS,
S/O.LATE JOSEPH, MAKKIL HOUSE, MANJOOR SOUTH,
MANJOOR VILLAGE, VAIKOM TALUK, MANJOOR SOUTH P.O,
KOTTAYAM DISTRICT.**

BY ADV. SRI.VARGHESE C.KURIAKOSE

RESPONDENT(S):

- 1. STATE OF KERALA,
REP.BY SECRETARY, DEPT.OF LAND REVENUE, SECRETARIAT,
TRIVANDRUM 695 001.**
- 2. THE SECRETARY TO THE GOVT.,
AGRICULTURAL DEPARTMENT, STATE OF KERALA,
TRIVANDRUM 695 001.**
- 3. THE DISTRICT COLLECTOR,
KOTTAYAM DISTRICT, CIVIL STATION, KOTTAYAM 686 002.**
- 4. REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE, PALA 686 575.**
- 5. THE VILLAGE OFFICER,
MANJOOR VILLAGE OFFICE, MANJOOR 686 603.**
- 6. SHRI SIVASANKARAN NAIR,
KUTTUVELIL HOUSE, MANJOOR SOUTH P.O, MANJOOR 686 603.**

R1 TO R5 BY SRI.P.K.SOYUZ, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DG

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 - TRUE PHOTOSTAT COPY OF THE POSSESSION CERTIFICATE DATED 28.07.2012 ISSUED BY VILLAGE OFFICER, MANJOOR.**
- P2 - TRUE PHOTOSTAT COPY OF THE DATA BANK ENQUIRY PERTAINING TO 25.31 ARES.**
- P3 - TRUE PHOTOSTAT COPY OF THE ORDER DATED 23.07.2015 PASSED BY THE 3RD RESPONDENT.**
- P4 - TRUE PHOTOSTAT COPY OF THE REVISION PETITION DATED 07.08.2015.**
- P5 - TRUE PHOTOSTAT COPY OF THE STAY PETITION DATED 07.08.2015.**

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A TO JUDGE

ANIL K. NARENDRAN, J.

W.P.(C) No.25030 of 2015

Dated this the 18th day of August, 2015

JUDGMENT

The petitioner has filed this writ petition seeking a writ of Certiorari to quash Exhibit P3 order passed by the 3rd respondent and seeking a writ of mandamus, commanding the 3rd respondent to re-hear the matter after affording him a reasonable opportunity. The petitioner has also sought for a writ of mandamus, commanding the 2nd respondent to take up Exhibit P4 revision petition and Exhibit P5 stay petition and pass appropriate order thereon after affording him an opportunity of being heard.

2. I heard the arguments of the learned counsel for the petitioner and also the learned special Government Pleader appearing for the respondents.

3. Considering the fact that Exhibit P4 revision petition filed by the petitioner under Section 28 of the Kerala Conservation of Paddy land and Wet land Act, 2008 and

accompanied by Exhibit P5 stay petition is pending consideration before the 2nd respondent, I deem it appropriate to dispose of this writ petition without going into the merits of this case.

4. In such circumstances, this writ petition is disposed, directing the 2nd respondent to consider and pass appropriate orders on Exhibit P4 revision petition or on Exhibit P5 stay petition, strictly in accordance with law, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a certified copy of this judgment, after affording an opportunity of being heard to the petitioner.

It is made clear that, till any such order is passed by the 2nd respondent on Exhibit P4 revision petition or on Exhibit P5 stay petition, status quo as on today shall be maintained in respect of the property covered by Exhibit P3 order.

Sd/-

**ANIL K. NARENDRAN,
JUDGE**

//TRUE COPY//

P.A TO JUDGE

DG