

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 25598 of 2015 (Y)

PETITIONER(S):

**M.V.PAILY,
MUNDETHUKUDY HOUSE, KEEZHILLAM P.O.,
RAYAMANGALAM VILLAGE, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.SHAJI THOMAS
SRI.GEORGE PULIKUTHIYIL
SRI.B.RAJESH (KOTTAYAM)
SRI.H.KIRAN**

RESPONDENT(S):

- 1. LOCAL LEVEL MONITORING COMMITTEE,
(CONSTITUTED UNDER THE KERALA CONSERVATION OF PADDY
LAND AND WET LAND ACT 2008),
RAYAMANGALAM GRAMA PANCHAYATH,
REPRESENTED BY ITS CHAIRMAN,
THE PRESIDENT, RAYAMANGALAM GRAMA PANCHAYATH,
RAYAMANGALAM P.O., KURUPPAMPADI,
ERNAKULAM DISTRICT - 683 545.**
- 2. RAYAMANGALAM GRAMA PANCHAYATH,
RAYAMANGALAM P.O, KURUPPAMPADI,
ERNAKULAM DISTRICT-683 545,
REPRESENTED BY ITS SECRETARY.**
- 3. AGRICULTURAL OFFICER,
AGRICULTURAL OFFICE (KRISHI BHAVAN),
RAYAMANGALAM VILLAGE, KEEZHILLAM P.O., PIN - 683 541.**
- 4. KEEZHILLAM RUBBER UDPADAKA SANGHAM,
KEEZHILLAM P.O., KEEZHILLAM, PIN - 683 541.**

R3 BY SPECIAL GOVERNMENT PLEADER SRI.P.K.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 25598 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 - TRUE COPY OF THE LATEST TAX RECEIPT DATED 22.07.2014 ISSUED BY THE
VILLAGE OFFICE, RAYAMANGALAM.**

**P2 - TRUE COPY OF THE APPLICATION DATED 01.07.2015 SUBMITTED BY THE
PETITIONER TO THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.25598 of 2015

Dated this the 7th day of September, 2015.

J U D G M E N T

The petitioner has approached the Local Level Monitoring Committee by Ext.P2 application. The 3rd respondent is the convenor of the Local Level Monitoring Committee.

2. The petitioner's case is that the land covered by Ext.P2 is a converted land much before the enactment of Act 28 of 2008. Therefore, it cannot be treated as a paddy or wet land under the Act.

3. In view of the pendency of Ext.P2, there shall be a direction to the Local Level Monitoring Committee to conduct site inspection in the presence of the petitioner and find out whether the description of the land can be treated as a paddy or wet land as per the entries in the draft Data Bank. If the land cannot be treated as paddy or wet land as on the date of enactment of Act 28 of 2008, necessary steps

shall be taken to correct the entries in the draft Data Bank.
Needful shall be done within a period of 2 months of receipt
of copy of this judgment.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge