

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C) .No. 26230 of 2015 (S)

PETITIONER(S) :

DILEEP MATHEW KOLLAMULA, AGED 42 YEARS,
S/O.MATHEW, KIZHAKKEMURIYIL HOUSDE, MUKKOTTUTHARA P.O.,
PATHANAMTHITTA.

BY ADV. SRI.B.PRAMOD

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNEMNT,
REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, IDUKKI-685 602.

3. THE REVENUE DIVISIONAL OFFICER,
PAINAVU, IDUKKI DISTRICT-685 602.

4. THE TAHSILDAR,
TALUK OFFICE, PEERUMEDU TALUK, IDUKKI DISTRICT-685 602.

5. THE VILLAGE OFFICER,
PERUVANTHANAM VILLAGE, IDUKKI DISTRICT-685 602.

6. THE SUB INSPECTOR OF POLICE,
PERUVANTHANAM POLICE STATION, IDUKKI DISTRICT-685 602.

7. TRAVANVORE RUBBER AND TEA COMPANY,
PERUVANTHANAM VILLAGE, PEERUMEDU TALUK,
IDUKKI DISTRICT, REGISTERED OFFICE AT PATTASOM PALACE P.O.,
THIRUVANANTHAPURAM,PIN-695 004,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER, S.RAMAKRISHNA
SARMA.

R1 TO R6 BY SPL. GOVERNMENT PLEADER SMT.SUSEELA BHAT
R7 BY SR.ADV.SRI.JOSEPH KODONTHARA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 26230 of 2015 (S)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1. TRUE COPY OF THE FIR IN CRIME NO.183/15 U/S. 7(A) OF THE KERALA
LAND CONSERVANCY ACT AGAINST THE 7TH RESPONDENT

EXT.P2. TRUE COPY OF THE STATEMENT OF THE 4TH RESPONDENT

EXT.P3. TRUE COPY OF THE APPLICATION UNDER THE RIGHT TO INFORMATION ACT
TO THE 5TH RESPONDENT

EXT.P4. TRUE COPY OF THE REPLY DATED 16/7/2015 GIVEN BY THE 5TH
RESPONDENT

EXT.P5. TRUE COPY OF THE PRINTOUT OF THE CONCERNED WEB PAGE OF THE
OFFICIAL WEBS SITE OF THE 1ST RESPONDENT CONTAINING INFORMATION ABOUT
THE MISSION MODE PROJECT TOWARDS ZERO LANDLESS STATE BY 2015.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

**THOTTATHIL B.RADHAKRISHNAN
&
ANU SIVARAMAN, JJ.**

W.P(C).26230 of 2015

Dated this the 2nd December, 2015

JUDGMENT

Thottathil B.Radhakrishnan, J.

This writ petition is filed as *pro bono publico* seeking action regarding the alleged trespass by the 7th respondent into Government lands. An adoption statement has been filed placing on record the counter affidavit filed on behalf of the State in W.P(C).No.19214 of 2015. The learned Special Government Pleader for the Department of Revenue submits that appropriate action in accordance with law will follow against the Company.

2. We record the submission and direct that it will be open to the Government or other statutory authorities to take such action against any person in occupation of any parcel of the land against whom action can follow. We also clarify that this judgment does not amount to giving the seal

of approval of the High Court to the Vigilance report or any procedure or proceedings that is suggested on behalf of the Government. We leave open all rights of the 7th respondent to seek relief and object to any action that may be taken in that regard.

The writ petition is ordered recording the submission of the learned Special Government Pleader that due action will follow against the 7th respondent, in accordance with law.

THOTTATHIL B.RADHAKRISHNAN
JUDGE

ANU SIVARAMAN
JUDGE