

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 26696 of 2015 (J)

PETITIONER(S):

**V.K.MUHAMMED ASHRAF, AGED 55 YEARS,
S/O MUHAMMED, V.K. HOUSE
EDAYOOR P.O., MALAPPURAM DISTRICT,
PIN-676554. DIRECTOR
ROSETTA BUILDERS AND DEVELOPERS PVT.LTD., F.4, CHORUS,
KOCHAR ROAD, SHASTHAMANGALAM P.O.
THIRUVANANTHAPURAM-695010.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
TIRUR-676101.**
- 2. THE VILLAGE OFFICER,
VILLAGE OFFICE, VAZHAYOOR,
MALAPPURAM DISTRICT-673633.**

BY SPECIAL GOVERNMENT PLEADER SRI.P.K.SOYUS

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 26696 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1-TRUE COPY OF THE DOCUMENT NO. 1597/11 OF SRO, KONDOTTY

EXHIBIT-P2-TRUE COPY OF THE PHOTOGRAPHS OF THE PETITIONER'S PROPERTY

EXHIBIT-P3-TRUE COPY OF THE RELEVANT PAGES OF THE DATA BANK.

**EXHIBIT-P4-TRUE COPY OF THE APPLICATION DATED 26/06/2015 SUBMITTED UNDER
CLAUSE 6 (2) OF THE KERALA LAND UTILISATION ORDER, 1967.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 26696 of 2015

Dated this the 04th day of September, 2015

JUDGMENT

The petitioner approached the 1st respondent as per Clause 6(2) of the Kerala Land Acquisition Order. Ext.P4 is the application.

2. According to the petitioner, this land referred in Ext.P4 application is a converted land much before the Act 28/2008.

3. This Court is of the view that the Revenue Divisional Officer shall consider Ext.P4 application, after calling for a report from the Agricultural Officer regarding the status of the property under the Draft Data Bank required under the Act 28/2008. If the property is not treated as a paddy or wet land under the Act 28/2008, necessarily, the application shall be considered in accordance with law as expeditiously as possible within a period of two months after issuing notice to the petitioner.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE