

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. 27105 of 2015 (K)

PETITIONER :

**CHERIAN @ BABU,
NEREVEETIL, KAKKANAD KARA,
VAZHAKKALA, ERNAKULAM.**

**BY ADVS.SMT.K.P.SANTHI
SRI.R.JAYAKRISHNAN (MUTHUKULAM)
SMT.E.U.DHANYA**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. LOCAL LEVEL MONITORING COMMITTEE,
KIZHAKKAMBALAM KRISHI BHAVAN, KUNNATHUNAD TALUK,
ERNAKULAM - 683 544.**

BY SPL.GOVERNMENT PLEADER SRI.P.K.SOYUZ

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

sts

WP(C).No. 27105 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 - TRUE COPY OF THE APPLICATION DT. 20.6.2015 SUBMITTED TO THE 2ND
RESPONDENT.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 27105 of 2015

Dated this the 09th day of September, 2015

JUDGMENT

The petitioner is the owner, titleholder, in possession and enjoyment of 30.94 ares of land in Re-survey Nos. 336/7/2, 336/9, 336/6/2/2, 336/6/3/2, Block No. 25 of Kizhakkambalam Village, Kunnathunad Taluk, Ernakulam District as per registered sale deed. Property is recorded as Nilam in the revenue records.

2. The petitioner approached the 2nd respondent-Local Level Monitoring Committee for change of classification of the land in the draft data bank. Ext.P1 is the request made by the petitioner.

3. This Court is of the view that Ext.P1 shall be considered by the 2nd respondent after conducting the local site inspection in the presence of the petitioner. The Local Level Monitoring Committee shall verify whether the property can be classified as a paddy or wet land as on date of enactment Act 28/2008. If it cannot be classified as paddy or

wet land as on the date of enactment Act 28/2008, necessarily, corresponding changes shall be effected in the Draft Data Bank. Needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE

bpr