

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. 27187 of 2015 (W)

PETITIONER(S):

- 1. P.A.JOSE, AGED 62 YEARS, S/O.ANTONY,
PAYYAPPILLY HOUSE, KOTTAYAM VILLAGE,
KOTTAYAM DISTRICT.**
- 2. SONA BABU, W/O.BABU,
M.PHILIP, THUMBIL AMBU PARAMBIL HOUSE,
KOTTAYAM VILLAGE, KOTTAYAM DISTRICT.**
- 3. HIMA DANY, W/O.DANY THOMAS,
ALAPPATT HOUSE, PERINGAVU DESOM,
CHEMBUKAVU VILLAGE, THRISSUR DISTRICT.**

**BY ADVS.SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA
SMT.VINAYA V.NAIR**

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE,
THRISSUR - 680 001.**
- 2. THE AGRICULTURAL OFFICER,
KRISHI BHAVAN, OLLUR, THRISSUR -680 306.**

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

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF PETITION DATED 10/8/15 SUBMITTED BY THE 1ST PETITIONER BEFORE THE 1ST RESPONDENT
- P2: TRUE COPY OF PETITION DATED 10/8/15 SUBMITTED BY THE 2ND PETITIONER BEFORE THE 1ST RESPONDENT
- P3: TRUE COPY OF PETITION DATED 10/8/15 SUBMITTED BY THE 3RD PETITIONER BEFORE THE 1ST RESPONDENT
- P4: TRUE COPY OF REPORT DATED 19/8/15 SUBMITTED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT WITH RESPECT OF EXHIBIT P1 PETITION
- P5: TRUE COPY OF REPORT DATED 19/8/15 SUBMITTED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT WITH RESPECT OF EXHIBIT P2 PETITION
- P6: TRUE COPY OF REPORT DATED 19/8/15 SUBMITTED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT WITH RESPECT OF EXHIBIT P3 PETITION

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 27187 of 2015

Dated this the 09th day of September, 2015

JUDGMENT

The petitioner has approached the 1st respondent by Exts.P1 to P3 under the Clause 6 of Kerala Land Acquisition Order, 1967.

2. The petitioner claims that this land referred in Exts.P1 to P3 is a converted land before the Act 28/2008 and therefore, the application for utilisation for other purposes under Kerala Land Utilisation Order shall be considered.

There shall be a direction to the 1st respondent to consider the application under Section 6 of the Kerala Land Utilisation Order after verifying the Draft Data Bank prepared by the Local Level Monitoring Committee. If the land is not classified as paddy or wetland under the Draft Data Bank, necessarily, this shall be considered for utilising for other purposes under Clause 6 of the Kerala Land Utilisation Order.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE