

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. 27201 of 2015 (A)

PETITIONER(S) :

- 1. SABU,
S/O.LATE MR.LONAPPAN, MALIACKAL HOUSE,
THOTTAKKATTUKARA, ALUVA WEST.**
- 2. DAISY,
W/O.LATE MR.LONAPPAN, -DO-.**
- 3. SEENA,
D/O.LATE MR.LONAPPAN, -DO-.**
- 4. SUSHA,
D/O.LATE MR.LONAPPAN, -DO-.**

BY ADV. SRI.RAJU K.MATHEWS

RESPONDENT(S) :

- 1. REVENUE DIVISIONAL OFFICER,
FORT COCHIN, COCHIN-682 001.**
- 2. THE VILLAGE OFFICER,
ALUVA WEST VILLAGE, ALUVA P.O.**

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:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1 : A TRUE COPY OF THE EXTRACT OF THE BASIC TAX REGISTER FOR THANDAPER NO.14006 OF ALUVA WEST VILLAGE.**
- P2 : A TRUE COPY OF THE EXTRACT OF THE BASIC TAX REGISTER FOR THANDAPER NO.14005 OF ALUVA WEST VILLAGE.**
- P3 : A TRUE COPY OF THE REPORT DATED 04-08-2014 OF THE 2ND RESPONDENT.**
- P4 : A TRUE COPY OF THE CERTIFICATE NO.KBA 134/1516 DATED 07-08-2015 OF THE AGRICULTURAL FIELD OFFICER, KRISHI BHAVAN ALUVA.**
- P5 : A TRUE COPY OF THE DATA BANK PREPARED BY THE LOCAL LEVEL MONITORING COMMITTEE, FOR ALUVA WEST VILLAGE WITHIN THE ALUVA MUNICIPAL LIMITS.**
- P6 : A TRUE COPY OF THE APPLICATION SUBMITTED BY PETITIONERS 1 AND 2 IN RESPECT OF THE PROPERTY COMPRISED IN THANDAPER NO.14006 OF ALUVA WEST VILLAGE.**
- P7 : TRUE COPY OF THE APPLICATION SUBMITTED BY PETITIONERS 1,3 AND 4 IN RESPECT OF THE PROPERTY COMPRISED IN THANDAPER NO.14005 OF ALUVA WEST VILLAGE.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

PA.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.27201 of 2015

Dated this the 9th day of September, 2015.

J U D G M E N T

The petitioner has approached the 1st respondent under Clause 6 of Kerala Land Utilisation Order.

2. The petitioner's case is that the above land is a converted land much before the enactment of Act 28/2008.

3. In view of the claim of the petitioner, the case shall be considered under Clause 6 of the Keala Land Utilisation Order by the 1st respondent, after verifying the draft Data Bank to find out whether the property of the petitioner is a paddy or wet land under Act 28/2008. If the property is not classified as above, necessarily the application of the petitioner shall be considered under Clause 6 of KLU Order for utilising other purpose. Needful shall be done within a period of 2 months of receipt of copy of this judgment, after giving notice to the petitioner.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

ami/

//True copy//

P.A.to Judge