

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 27430 of 2015 (C)

PETITIONER:

**ABOOBACKER THOLOOR,
S/O.KUNHALAVI HAJI, THOLUR HOUSE,
MELATTOOR(PO), MALAPPURAM DISTRICT - 679 326.**

**BY ADVS.SRI.T.K.AJITH KUMAR
SRI.P.VINODKUMAR**

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
PERINTHALMANNA, PERINTHALMANNA(PO),
MALAPPURAM DISTRICT, PIN - 679 322.**
- 2. THE AGRICULTURAL OFFICER, KRISHI BHAVAN,
MELATTUR(PO), MALAPPURAM DISTRICT, PIN - 679 326.**
- 3. THE VILLAGE OFFICER, MELATTUR VILLAGE,
MELATTUR(PO), MALAPPURAM DISTRICT, PIN - 679 326.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE SALE DEED NO.2838/2007 OF SRO MELATTOOR DATED 4.6.2007.
- EXT. P2 : TRUE COPY OF THE RELEVANT PAGE OF THE DATA BANK.
- EXT. P3 : TRUE COPY OF THE POSSESSION CERTIFICATE DATED 5.2.2015, ISSUED BY THE VILLAGE OFFICER, MELATTOOR.
- EXT. P4 : TRUE COPY OF THE SANCTION LETTER DATED 13.1.2015 GRANTED BY THE DIVISIONAL RAILWAY MANAGER/WORKS, SOUTHERN RAILWAY.
- EXT. P5 : TRUE COPY OF THE ORDER DATED 30.1.2015 REJECTING THE APPLICATION FOR BUILDING PERMIT.
- EXT. P6 : TRUE COPY OF THE REPRESENTATION DATED 19.2.2015 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A. MUHAMED MUSTAQUE, J.

.....
W.P.(C) No. 27430 of 2015 (C)

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Dated this the 11th day of September, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

1. Issue a writ of Mandamus or any other appropriate writ order or direction, directing the 1st respondent to consider and pass appropriate orders in Ext.P6 representation.
2. Issue a writ of Mandamus or any other appropriate writ order or direction, directing the 1st respondent grant sanction under Clause 6(2) of the Kerala Land Utilisation Order of converting 0.0051 Hectares of property in Survey No.120/4C and 0.0405 Hectares of property in Survey No.120/8 in Melattoor Village in Malappuram District.
3. Issue any other appropriate writ, order, or direction as the case may be as this Hon'ble Court may deem fit and necessary in the interest of justice.

2. Heard the learned Government Pleader for the respondents as well.

3. The learned counsel for the petitioner submits that, the petitioner submitted Ext.P6 application before the 1st respondent/Revenue

Divisional Officer seeking sanction under Clause 6(2) of the Kerala Land Utilisation Order for conversion of the land.

4. In view of the above application, the 1st respondent/Revenue Divisional Officer shall verify the nature of land from 2nd respondent/Agricultural Officer and find out whether it is included in the draft data bank or not. If it is not included in the draft data bank, the application shall be considered in terms of Clause 6(2) of the Kerala Land Utilisation order. 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

AMV/14/09/