

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 14TH DAY OF SEPTEMBER 2015/23RD BHADRA, 1937

WP(C).No. 27644 of 2015 (E)

PETITIONER(S) :

**THOMAS KURIAN, S/O.KURIYAN, AGED 61 YEARS,
THEKKEDATHE PEEDIKAYIL HOUSE, CHANGANGARI P.O,
EDATHUA, ALAPPUZHA.**

**BY ADVS.SRI.R.ROHITH
SRI.SAYED MURTHALA THANGAL**

RESPONDENT(S) :

- 1. DISTRICT COLLECTOR,
COLLECTORATE, ALAPPUZHA- 688 001.**
- 2. SUB COLLECTOR,
COLLECTORATE, ALAPPUZHA- 688 001.**
- 3. VILLAGE OFFICER,
EDATHUA VILLAGE, ALAPPUZHA- 688 005.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 27644 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: A TRUE COPY OF THE REPORT DATED 25.02.2015 SUBMITTED BY
THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT.**

**EXHIBIT P2: A TRUE COPY OF THE LETTER DATED 23.03.2015 ISSUED BY
THE 2ND RESPONDENT TO THE PETITIONER.**

**EXHIBIT P3: A TRUE COPY OF THE REPRESENTATION DATED 09.09.2015
SUBMITTED BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.27644 of 2015

Dated this the 14th day of September, 2015

JUDGMENT

The petitioner approached the first respondent under Clause 6 of the Kerala Land Utilisation Order (for short, the “Order”). The petitioner claims that he is the owner in possession of the lands comprised in Survey Nos.362/5-1 and 363/1-1 in Edathua Village. The petitioner submits that these lands were converted much before the enactment of the Kerala Conservation of Paddy Land and Wet Land Act, 2008.

This Court is of the view that the petitioner’s application under Clause 6 of the Order shall be considered by the first respondent after verifying the data bank and also after obtaining a report from the Agriculatural Officer. Needful shall be done by the first respondent 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

In