

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 28241 of 2015 (E)

PETITIONER(S):

- 1. AZEEMUDDIN, S/O.KUNJUMOIDEEN,
MANNAM.P.O., NORTH PARAVUR.**
- 2. NADEERA BEEGUM, W/O.AZEEMUDDIN,
MANNAM.P.O., NORTH PARAVUR.**
- 3. NISHAD AZEEM, S/O.AZEEMUDDIN,
MANNAM.P.O., NORTH PARAVUR.**

**BY DR.K.P.SATHEESAN (SENIOR ADVOCATE)
ADVS. SRI.MOHANDAS B.
SRI.ANOOP V NAIR**

RESPONDENT(S):

- 1. STATE OF KERALA, REP. BY
THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE DISTRICT COLLECTOR, COLLECTORATE,
KAKKANAD, ERNAKULAM, PIN - 682 030.**
- 3. THE THAHSILDAR, PARAVUR TALUK,
ERNAKULAM DISTRICT, PIN 682 307.**
- 4. THE VILLAGE OFFICER, KOTTUVALLY VILLAGE,
PARAVUR TALUK, ERNAKULAM DISTRICT, PIN - 682 307.**
- 5. THE LOCAL LEVEL MONITORING COMMITTEE,
REP. BY ITS CHAIRMAN/CONVENER,
KOTTUVALLY GRAMA PANCHAYAT,
NORTH PARAVUR - 682 302.**
- 6. THE KOTTUVALLY GRAMA PANCHAYAT,
NORTH PARAVUR TALUK,
REPRESENTED BY ITS SECRETARY - 682 302.**

R1 TO R4 BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE TAX RECEIPTS.
- EXT. P2 : TRUE COPY OF THE CERTIFICATE ISSUED BY THE
3RD RESPONDENT'S OFFICE TO THE PETITIONER.
- EXT. P3 : TRUE COPY OF CERTIFICATE ISSUED BY THE 4TH RESPONDENT TO
THE PETITIONERS.
- EXT. P4 : TRUE COPY OF THE CERTIFICATE ISSUED BY THE 3RD RESPONDENT
IN RESPECT OF THE PETITIONERS PROPERTY.
- EXT. P5 : TRUE COPY OF APPLICATION SUBMITTED BY THE PETITIONERS
BEFORE THE 5TH RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P(C)No. 28241 of 2015

Dated this the 17th day of September, 2015

J U D G M E N T

Petitioners claim to be the owner and in possession of 569.65 Ares of land in Sy.Nos.5/5,5/3,5/4,5/1,5/1A,5/2,5/5-1,5/5-3,7/1,7/2,7/3-1,9/2-1,9/2-3,9/2-3-2,9/2-4,9/2/4-5,9/2-3-5 in Kottuvally Village, Paravur Taluk. Petitioners approached the second and fifth respondents to change the nature of land as Purayidam/Nikathu Nilam in the Draft Data Bank after conducting an inspection and remove the same from the Draft Data Bank.

2. After considering the above, this Court is of the view that after verifying the Draft Data Bank, the second respondent shall call for the records from the Agricultural Officer concerned and find out the nature of land in the Draft Data Bank. If the land referred above is not classified as paddy or wet land, the same shall be considered for the purpose of granting permission under Clause 6 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, after issuing notice to the petitioners.

This writ petition is disposed of as above.

sd/-
A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO. 28241 OF 2015

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