

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 29237 of 2015 (D)

PETITIONER:

**CELIN JOSEPH AGED 41 YEARS,
W/O.JOSEPH, RESIDING AT 44/2516,
CHETTIPPARAMBIL HOUSE, FREEDOM ROAD,
KALOOR, ERNAKULAM-682017.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
AYYANTHOLE, THRISSUR-680003.**
- 2. THE TAHSILDAR, KODUNGALLOOR TALUK,
THRISSUR DISTRICT-680664.**
- 3. THE VILLAGE OFFICER, POYYA VILLAGE OFFICE,
POYYA, THRISSUR DISTRICT-680733.**
- 4. THE SUB COLLECTOR
AYYANTHOLE, THRISSUR-680003.**
- 5. THE AGRICULTURAL OFFICER, KRISHI BHAVAN,
POYYA P.O., THRISSUR DISTRICT-680733.**
- 6. THE LOCAL LEVEL MONITORING COMMITTEE,
(CONSTITUTED UNDER THE KERALA CONSERVATION
OF PADDY LAND AND WET LAND ACT, 2008) REPRESENTED
BY ITS CONVENOR (THE AGRICULTURAL OFFICER)
KRISHI BHAVAN, POYYA P.O., THRISSUR DISTRICT-680733.**
- 7. THE SUB INSPECTOR OF POLICE
MALA POLICE STATION, MALA, THRISSUR DISTRICT-680733.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 : TRUE COPY OF THE SALE DEED REGISTERED AS SALE DEED REGISTERED AS DOCUMENT NO.2014/2014 OF SRO MALA IN FAVOUR OF THE PETITIONER.
- P2 : TRUE COPY OF THE REPLY DT.17-10-2013 ISSUED BY THE POYYA GRAMAPANCHAYAT CONFIRMING THAT THE PETITIONER'S PROPERTY IS NOT INCLUDED IN THE DATA BANK.
- P3 : TRUE COPY OF THE REQUEST DT.12-4-2015 FOR RECORDING CONVERSION OF THE LAND MADE BY THE PETITIONER BEFORE THE 4TH RESPONDENT.
- P4 : TRUE COPY OF THE GOVERNMENT ORDER GO(RT)NO.157/2002/AD DT.5-2-2002 PROVIDING GUIDELINES FOR CONSIDERING AN APPLICATION FOR CONVERSION UNDER THE KLU ORDER.
- P5 : TRUE COPY OF THE JUDGMENT MADE IN WPC 15684/2015 DT.27-5-2015.
- P6 : TRUE COPY OF THE COMMUNICATION DT.9-6-2015 SENT ON BEHALF OF THE PETITIONER ADDRESSED TO THE 4TH RESPONDENT.
- P7 : TRUE COPY OF THE COMMUNICATION DT.25-6-2015 ADDRESSED TO THE PETITIONER BY THE 4TH RESPONDENT.
- P8 : TRUE COPY OF THE REMINDER DT.14-7-2015 ADDRESSED TO THE 4TH RESPONDENT BY THE 1ST RESPONDENT.
- P9 : TRUE COPY OF THE ORDER DT.7-8-2015 ISSUED BY THE 4TH RESPONDENT.
- P10 : TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 6TH RESPONDENT DT.11-9-2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

=====

W.P.(C).No. 29237 of 2015

=====

Dated this the 28th day of September, 2015

J U D G M E N T

The petitioner claims to be the owner in a possession of landed property in Survey No.131/5 of Poyya Village, Kodungallur Taluk, Thrissur. The petitioner submits that this land is erroneously included as 'Nilam' in the draft data bank.

2. It is submitted that the petitioner approached the Local Level Monitoring Committee by Ext.P10 to correct the entry relating to the land in the draft data bank. The petitioner seeks a direction to dispose of Ext.P10. If the draft data bank has not been finally notified, the Local Level Monitoring Committee shall conduct a site inspection to find out whether the land can be classified as 'Nilam' on the date of enactment of the Act 28 of 2008. It cannot be classified as 'Nilam' on the date of enactment of Act 28 of 2008, necessarily corresponding change shall be effected in the draft data

bank. Needful shall be done based on Ext.P10 within a period of two months from the date of receipt of the copy of this judgment after issuing notice to the petitioner.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE