

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 30607 of 2015 (A)

PETITIONER:

**P.V.ALI MUBARAQ,
S/O. ALAVIKUTTY, AGED 47 YEARS,
PEE VEE HOUSE, NILAMBUR P.O.,
MALAPPURAM DISTRICT, DIRECTOR,
PEE VEEKAY PROPERTIES AND HOTELS PRIVATE LTD.,
5TH FLOOR, INDUS AVENUE SHOPPING COMPLEX,
KOZHIKODE- 673 001.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT:

**THE LOCAL LEVEL MONITORING COMMITTEE,
FOR KOZHIKODE CORPORATION,
REPRESENTED BY ITS CONVENER,
THE PRINCIPAL AGRICULTURAL OFFICER,
KOZHIKODE.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 30607 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT-P1- TRUE COPY OF DOCUMENT NO. 1196/1/1994 OF SRO, KOZHIKODE DATED 5.10.1994.
- EXHIBIT-P2- TRUE COPY OF THE DOCUMENT NO. 1185/1/1994 OF SRO, KOZHIKODE 4.10.1994.
- EXHIBIT-P3- TRUE COPY OF THE POSSESSION CERTIFICATE IN RESPECT OF THE PETITIONER'S PROPERTY 2.6.2015.
- EXHIBIT-P4- TRUE COPY OF THE LAND TAX RECEIPT ISSUED BY THE VILLAGE OFFICER, KASABA VILLAGE 27.5.2015.
- EXHIBIT-P5- TRUE COPY OF THE ORDER DATED NIL ISSUED BY THE SECRETARY OF KOZHIKODE CORPORATION.
- EXHIBIT-P6- TRUE COPY OF THE JUDGMENT DATED 13/08/2015 IN W.P(C) 23866/2015.
- EXHIBIT-P7- TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT 10.9.2015.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P(C).No. 30607 of 2015

Dated this the 15th October, 2015

JUDGMENT

The petitioner has approached the respondent as per Exhibit P7 to correct the entry in the Draft Data Bank. According to the petitioner, this is a converted land and the entry in the Draft Data Bank is liable to be corrected.

In the above circumstances, this Court is of the view that the respondent shall conduct a site inspection and find out whether the land in question can be classified as paddy land or wet land as on the date of enactment of the Kerala Conservation of Paddy Land and Wetland Act, 2008 (Act 28 of 2008). If it is found that the land cannot be classified as wet land or paddy land as on the date of enactment of Act 28 of 2008, corresponding changes shall be effected in the Draft Data Bank. Needful shall be done by the respondent within two months from the date of receipt of a copy of this judgment, after issuing notice for hearing to the petitioner.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**