

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

WP(C).No. 30932 of 2015 (N)

PETITIONER(S):

- 1. SMT. SHYAMALA SATHYAPALAN,
W/O.LATE K.N.SATHYAPALAN, AGED 62 YEARS,
CHARUVILA PUTHEN VEEDU,
EDAKKADAM P.O, KAREEPRA, KOLLAM-691 505.**
- 2. UMESH, S/O.LATE K.N.SATHYAPALAN,
CHARUVILA PUTHEN VEEDU,
EDAKKADAM P.O, KAREEPRA, KOLLAM-691 505.**
- 3. ANITHA RAJEEV, W/O.RAJEEV,
PUTHENVILA VEETIL, KUNDARA CHERI,
KUNDARA P.O, KOLLAM-691 501.**

**BY ADVS.SRI.M.K.CHANDRA MOHANDAS
SRI.K.SATHIYANANDAN PILLAY
SRI.SHAKTHI PRAKASH
SRI.PRATHEEK VISWANATHAN**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, DEPARTMENT OF REVENUE,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT COLLECTOR, KOZHIKODE,
OFFICE OF THE DISTRICT COLLECTOR, COLLECTORATE,
KOZHIKODE-673 001.**
- 3. THE REVENUE DIVISIONAL OFFICER,
KOZHIKODE, COLLECTORATE, KOZHIKODE-673 001.**
- 4. THE AGRICULTURAL OFFICER,
CONVENER, LOCAL LEVEL MONITORING COMMITTEE,
PERUVAYAL VILLAGE, KAYALAM DESOM, KOZHIKODE TALUK,
KOZHIKODE-673 001.**

BY GOVERNMENT PLEADER SRI.P.K.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 30932 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 : A COPY OF THE PROCEEDINGS NO.K.DIS.10569/94/C DATED 3-1-1995 OF THE
R.D.O, KOZHIKODE.**

P2 : A COPY OF THE REPRESENTATION DT 12-6-2015.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P(C).No. 30932 of 2015

Dated this the 12th October, 2015

JUDGMENT

The petitioner has approached the Local Level Monitoring Committee to correct the entry relating to his property comprised in R.S.Nos.22, 12/2A1 and 33/3 of Kayalam Desom in Peruvayal Village of Kozhikode Taluk. Exhibit P2 is the representation. According to the petitioner, this is a converted land and erroneously classified as wet land in the Draft Data Bank.

2. This Court is of the view that the petitioner's request shall be enquired into by the Local Level Monitoring Committee after conducting site inspection in the presence of the petitioner. The Local Level Monitoring Committee shall find out whether this can be classified as wet land or paddy land or 'Nilam' as on date of enactment of Act 28/2008. If it is found that the property cannot be treated as wet land or paddy land or 'Nilam', necessary corrections shall be carried out in the Draft Data Bank. The fourth respondent shall do the needful within two

months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs12/10/15