

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

WP(C).No. 31097 of 2015 (J)

PETITIONER :

**JIJIKUMAR, AGED 47 YEARS,
S/O. PANKAJAKSHAN, KUNNATHOTTATHIL HOUSE,
ERAVATHOOR P.O.**

**BY SRI.RENJITH THAMPAN,SENIOR ADVOCATE
ADV. SMT.P.R.REENA**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, AYYANTHOLE,
THRISSUR, PIN - 680 003.**
- 2. THE REVENUE DIVISIONAL OFFICER,
O/O. REVENUE DIVISIONAL OFFICER,
THRISSUR, PIN - 680 003.**
- 3. TAHSILDAR,
TALUK OFFICE, KODUNGALLUR,
THRISSUR DISTRICT, PIN- - 680 664.**
- 4. LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CONVENER, AGRICULTURAL OFFICER,
KRISHI BHAVAN, MATHILAKAM,
THRISSUR DISTRICT, PIN - 680 685.**

BY GOVERNMENT PLEADER SRI.P.K.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 31097 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF SALE DEED DT. 11.12.1997.**
- P2 - PHOTOGRAPH SHOWING THE PETITIONER'S PROPERTY.**
- P3 - TRUE COPY OF THE ENTRY IN RESPECT OF THE LAND BELONGING TO THE PETITIONER IN THE DATA BANK PREPARED IN THIRUMUKKULAM VILLAGE.**
- P4 - TRUE COPY OF THE LAND TAX RECEIPT ISSUED TO THE PETITIONER DT. 17.8.2015.**
- P4(A) - TRUE COPY OF THE LAND TAX RECEIPT ISSUED TO THE PETITIONER DT. 17.8.2015.**
- P5 - TRUE COPY OF SAID JUDGMENT REPORTED IN 2015(3) KHC 19.**
- P6 - TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS BEFORE THE REVENUE DIVISIONAL OFFICER DT. 03.10.2015.**
- P7 - TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE RESPONDENTS DT. 03.10.2015.**
- P8 - TRUE COPY OF THE LETTER ISSUED BY THE PANCHAYAT REJECTING THE PETITIONER'S APPLICATION FOR BUILDING PERMIT.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.S.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P(C).No. 31097 of 2015

Dated this the 13th October, 2015

JUDGMENT

Petitioner is the owner and in possession of 43.48 acres of land in Sy.No.816/1 of Thirumukkulam Village. It is seen from the Draft Data Bank that this is a converted land and it is planted with some other food crops.

2. Therefore, there is no impediment for the Revenue officials to consider the petitioner's application under Clause 6 of the Kerala Land Utilisation Order. This Court is of the view that the second respondent shall take appropriate decision in the matter for adverting to Exhibit P6 produced by the petitioner within two months from the date of receipt of a copy of this judgment.

3. If the petitioner's application under Clause 6 of the Kerala Land Utilisation Order is allowed, the third respondent Tahsildar shall consider Exhibit P7 for reassessment under the Kerala Land Tax Act. Needful shall be done by the third

respondent Tahsildar within two months from the date of receipt of such request along with the order passed by the Revenue Divisional Officer under Clause 6 of the Kerala Land Utilisation Order.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs13/10/15