

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WP(C).No. 31341 of 2015 (P)

PETITIONER(S):

- 1. ABDULLA, S/O.SAIDU MUHAMMED,
THOPPIL HOUSE, MANJALI KARA,
NORTH PARAVUR, ERNAKULAM DISTRICT.**
- 2. BUSHARA,
W/O.ABDULLA, THOPPIL HOUSE, MANJALI KARA,
NORTH PARAVUR, ERNAKULAM DISTRICT.**

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

RESPONDENT(S):

- 1. STATE OF KERALA,
REP. BY THE SECRETARY TO REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN-695 001.**
- 2. THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD,
ERNAKULAM, PIN-682 030.**
- 3. THE TAHSILDAR, PARAVUR TALUK,
ERNAKULAM DISTRICT-683 520.**
- 4. THE VILLAGE OFFICER,
KUNNUKARA VILLAGE, NORTH PARAVUR TALUK,
ERNAKULAM DISTRICT-683 520.**
- 5. THE LOCAL LEVEL MONITORING COMMITTEE,
KUNNUKARA GRAMA PANCHAYAT,
REP. BY ITS CHAIRMAN/CONVENER, AGRICULTURE OFFICER,
KUNNUKARA, ERNAKULAM DISTRICT-683 520.**

BY GOVT. PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1- TRUE COPY OF TAX RECEIPT NO.4234981.
- P1(A)- TRUE COPY OF TAX RECEIPT NO.4234967.
- P2- TRUE COPY OF THE CERTIFICATE ISSUED BY THE 3RD RESPONDENT'S OFFICE IN RESPECT OF THE PETITIONER'S PROPERTY.
- P3- TRUE COPY OF PHOTOGRAPHS WHICH SHOWS THE LIE OF THE PROPERTY.
- P3(A)- TRUE COPY OF THE PHOTOGRAPHS WHICH SHOWS THE LIE OF THE PROPERTY.
- P4- THE COPY OF APPLICATION SUBMITTED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT DATED 29.09.2015.
- P5- TRUE COPY OF REPORTS OF RESPONDENTS 3 AND 4 IN RESPECT OF PETITIONER'S PROPERTY REPORTED AS PER 2ND RESPONDENT'S DIRECTION.
- P6- TRUE COPY OF REPORT OF THE 5TH RESPONDENT COMMITTEE IN RESPECT OF THE PETITIONER'S PROPERTY.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.31341 of 2015

Dated this the 29th day of October, 2015

JUDGMENT

The petitioners are owners and in possession of 33 cents of land in Survey No.469/4 of Kunnukara Village, Paravur Taluk, This land is included in the Draft Data Bank as 'paddy land'.

2. According to the petitioners, it is erroneously included as 'nilam' and it is a converted land. They refer to the decision of the Local Level Monitoring Committee. It would show that this is a converted land. However, the Local Level Monitoring Committee refused to act upon the request of the petitioners for the reason that the Draft Data Bank has been notified.

In the light of the above facts and circumstances, the petitioners land in Survey No.469/4 of Kunnukara Village is declared as a converted land and appropriate entries shall be made in the records of the Local Level Monitoring Committee regarding conversion.

In the light of the above, the petitioners request before the District Collector by Ext.P4 shall be considered for permitting the

petitioners to utilize the land under Clause 6 of the Kerala Land Utilization Order. Needful shall be done by the District Collector after affording an opportunity of hearing to the petitioners within two months from the date of receipt of a copy of this judgment. The fifth respondent is also directed to take necessary steps to publish erratum notification.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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