

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

WP(C).No. 31997 of 2015 (Y)

PETITIONER(S):

**V.K.MUHAMMED ASHRAF, AGED 55 YEARS,
S/O.MUHAMMED, V.K.HOUSE, EDAYOOR P.O.,
MALAPPURAM DISTRICT, PIN 676 554, DIRECTOR,
ROSETTA BUILDERS AND DEVELOPERS PVT.LTD., F.4, CHORUS,
KOCHAR ROAD, SHASTHAMANGALAM P.O.,
THIRUVANANTHAPURAM 695010.**

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

RESPONDENT(S):

**1. THE REVENUE DIVISIONAL OFFICER
TIRUR-676551.**

**2. THE VILLAGE OFFICER,
VILLAGE OFFICE, VAZHAYOOR,
MALAPPURAM DISTRICT-676550.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 31997 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. TRUE COPY OF DOCUMENT NO.3796/2011 OF S.R.O.KONDOTTY.

EXT.P2. TRUE COPY OF THE COMPOSITE LAND TAX RECEIPT.

EXT.P3. TRUE COPY OF THE PHOTOGRAPHS OF THE PETITIONER'S PROPERTY.

**EXT.P4. TRUE COPY OF THE APPLICATION DATED 26.06.2015 SUBMITTED UNDER
CLAUSE 6(2) OF THE KERALA LAND UTILISATION ORDER 1967.**

RESPONDENT(S)' EXHIBITS

NIL

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 31997 of 2015

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Dated this the 20th day of October, 2015

J U D G M E N T

The petitioner is in possession of 8.09 ares of land in Sy.No.42/4 of Vazhayoor Village of Earnad Taluk in Malappuram district. According to the petitioner, in the data bank it is described as converted land 20 years back. However the property is described as a 'Thodu' in the revenue records. The petitioner submitted an application before the 1st respondent under clause 6 of the Kerala Land Utilization Order to utilise the properties of the petitioner's for the other purposes.

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. Considering the facts and circumstances, this Court is of the view that after verifying the Draft Data Bank, the 1st respondent shall call for the records from the Agricultural Officer concerned and find out the nature of land in the Draft Data Bank. If the land referred above is not classified as paddy or wet land, the same shall

be considered for the purpose of granting permission under the Clause 6 of the Kerala Land Utilization Order. Needful shall be done by the 1st respondent within a period of two months from the date of receipt of a copy of this judgment, after issuing notice to the petitioner.

The writ petition is disposed of, as above.

Sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE