

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. 32022 of 2015 (C)

PETITIONER(S):

**JOHN YOHANNAN, AGED 67 YEARS,
S/O.THOMAS, PLASSERY HOUSE,
KARUKUTTY, ALUVA, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI-682 001.**
- 2. THE DISTRICT COLLECTOR,
CIVIL STATION, ERNAKULAM-682 030.**
- 3. THE TAHSILDAR,
ALUVA TALUK, ERNAKULAM DISTRICT-683 101.**
- 4. THE VILLAGE OFFICER,
KARUKUTTY VILLAGE, ERNAKULAM DISTRICT-683 576.**
- 5. THE CONVENOR,
(THE AGRICULTURAL OFFICER),
THE LOCAL LEVEL MONITORING COMMITTEE,
(CONSTITUTED UNDER S.5 OF THE KERALA
CONSERVATION OF PADDY AND WET LAND ACT
2008) KRISHI BHAVAN, KARUKUTTY-683 576.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**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. 32022 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE PARTITION DEED REGISTERED AS DOCUMENT
NO.2466/1/2014 OF SRO ANGAMALY IN FAVOUR OF THE PETITIONER.**

**EXT.P2: TRUE COPY OF THE APPLICATION DATED 22.09.2015 MADE BY THE
PETITIONER AND THE REPLY THERE ON ISSUED BY THE 5TH
RESPONDENT BY VIRTUE OF AN ENDORSEMENT DATED 23.09.2015.**

**EXT.P3: TRUE COPY OF THE REQUEST DATED 03.10.2015 FOR RECORDING
CONVERSION OF THE LAND MADE BY THE PETITIONER BEFORE THE
1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 32022 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 landed property as per Ext.P1. Petitioner's property is described as a 'Nilam' 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, 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