

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

WP(C).No. 32369 of 2015 (U)

PETITIONER :

**SIVADASAN, S/O.KITTA, AGED 58 YEARS,
RESIDING AT RAILWAY QUARTER NO.101B,
KALLEKULANGARA.P.O., AKATHETHARA VILLAGE,
PALAKKAD TALUK, PALAKKAD DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
PALAKKAD DISTRICT-678 009**
- 2. THE REVENUE DIVISIONAL OFFICER,
PALAKKAD, PALAKKAD-678 009**
- 3. THE LOCAL LEVEL MONITORING COMMITTEE,
AKATHETHARA, REPRESENTED BY ITS CONVENER,
AGRICULTURAL OFFICER, AKATHETHARA,
PALAKKAD DISTRICT-678 009.**
- 4. THE AGRICULTURAL OFFICER, KRISHI BHAVAN,
AKATHETHARA, PALAKKAD DISTRICT-678 009**

BY SPL.GOVERNMENT PLEADER SRI.P.K.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE TAX RECEIPT DATED 1/8/2012 ISSUED BY THE AKATHETHARA VILLAGE OFFICER.**
- P2 COPY OF THE RELEVANT PAGES OF DRAFT DATA BANK REGARDING THE PROPERTY OF PETITIONER PREPARED UNDER THE PROVISIONS OF KERALA CONSERVATION OF PADDY LAND AND WET LAND ACT 2008**
- P3 COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE FOURTH RESPONDENT DATED 16/6/2013**
- P4 COPY OF THE COMMUNICATION DATED 29/7/2013 ISSUED BY THE FOURTH RESPONDENT TO HE PETITIONER.**
- P5 COPY OF THE ORDER DATED 29/4/2015 ISSUED BY THE FIRST RESPONDENT**
- P6 COPY OF THE APPLICATION DATED 17/8/2015 SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT WITH COPY TO THE FIRST RESPONDENT.**
- P7 COPY OF THE NOTIFICATION DATED 29/7/2015 OF THE LAW (LEGISLATION-A) DEPARTMENT, GOVERNMENT OF KERALA.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.32369 of 2015

Dated this the 26th day of October 2015

JUDGMENT

The petitioner submitted Ext.P6 application before the 2nd respondent under Clause 6 of the Kerala Land Utilisation Order. The petitioner has approached this Court seeking a direction to the 2nd respondent to consider his application filed under Clause 6 of the KLU Order.

2. This Court is of the view that the application under Clause 6 of the Kerala Land Utilisation Order shall be considered by the 2nd respondent after calling for a report from the Agricultural Officer as to the status of the land in the draft data bank.

3. If the land is not included in the draft data bank as paddy, nilam or wet land, necessarily, the application under clause 6 of the Kerala Land Utilisation Order shall be considered by the 2nd respondent within two months

after notice to the petitioner.

This writ petition is disposed of accordingly.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

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