

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 32591 of 2014 (Y)

PETITIONER(S) :

**HASEEM ASHRAF, AGED 46 YEARS,
S/O.HASEEM, MANGALASSERY HOUSE, VATTEKUNNAM,
EDAPPALLY NORTH, KALAMASSERY, ERNAKULAM.**

**BY ADVS.SRI.H.HAMZA ROWTHER
SRI.P.H.SHAJAHAN
SRI.V.K.PEERMOHAMED KHAN**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
ERNAKULAM, COLLECTORATE, KAKKANAD, KOCHI - 30.**
- 2. THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI, ERNAKULAM DISTRICT - 682 001.**
- 3. THE VILLAGE OFFICE,
ALANGAD VILLAGE, ERNAKULAM DISTRICT - 683 511.**
- 4. THE AGRICULTURAL OFFICER,
KRISHIBHAVAN, ALANGAD - 683 511.**

BY SR.GOVERNMENT PLEADER SMT.ANITHA RAVEENDARN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE SALE DEED IN FAVOUR OF THE PETITIONER.
- EXHIBIT P2: TRUE COPY OF THE BASIC TAX RECEIPT SHOWING THE REMITTANCE OF THE PROPERTY TAX WITH THE REVENUE AUTHORITIES BY THE PETITIONER.
- EXHIBIT P3: TRUE COPY OF THE LETTER ISSUED BY THE ALANGAD GRAMA PANCHAYATH REJECTING THE APPLICATION OF THE PETITIONER.
- EXHIBIT P4: TRUE COPY OF THE LETTER ISSUED BY THE AGRICULTURE OFFICER, ALANGAD UNDER RTI ACT REGARDING DATA BANK ALONG WITH COPY OF DATA BANK.
- EXHIBIT P5: TRUE COPY OF THE LETTER ISSUED BY THE ALANGAD VILLAGE OFFICER UNDER RTI ACT REGARDING DATA BANK ALONG WITH COPY OF POSSESSION CERTIFICATE AND LOCATION SKETCH.
- EXHIBIT P6: TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER BEFORE THE DISTRICT COLLECTOR UNDER LAND UTILIZATION ORDER.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 32591 of 2014

Dated this the 22nd day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"1. Declare that the property owned and possessed by the petitioner in Sy.No.83/8-1 and 483/14 of Alangadu Village in Paravur Taluk in Ernakulam District are dry land (Purayidam) and therefor that the provisions of the Kerala Conservation of Paddy Lands and Wet Lands Act, 2008 is not applicable to the said properties.

2. Issue a writ of mandamus or other appropriate Writ, direction or order and direct the 1st and 2nd respondents to consider Exhibit-P.6 application and to pass appropriate orders under clause 6 of the Land Utilization Order, 1967 and accordingly to correct the nature of the land owned by the petitioner in Sy.No.483/8-1 and 483/14 of Alangadu Village in Paravur Taluk in Ernakulam District."

2. When the matter is taken up for consideration, the learned counsel for the petitioner submits that, the grievance of the petitioner has also been projected by way of Ext.P6 request before the 1st respondent and that the petitioner will be satisfied, if a direction is given to the said respondent to have it considered and disposed of within a reasonable time.

3. Heard the learned Government Pleader as well.

4. Considering the limited nature of relief sought for, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P6 in accordance with law, also in the light of Exts. P4 and P5, after giving an opportunity of hearing to the petitioner at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE.**