

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No. 33093 of 2014 (J)

PETITIONERS:

- 1. PROMOD MATHEW**
KAILASAM VEETIL, PADUVAPURAM P.O., PIN-683576
PALISSERY, KARUKUTTY VILLAGE, ALUVA TALUK
ERNAKULAM DIST.
- 2. JISHA BENNY**
WIFE OF PRAMOD MATHEW, KAILASAM VEETIL
PADUVAPURAM P.O., PIN-683576, PALISSERY
KARUKUTTY VILLAGE, ALUVA TALUK, ERNAKULAM DIST.

BY ADVS.SRI.T.P.SAJAN
SRI.M.MOHAMMED NAVAZ
SRI.P.SANTHOSH KUMAR

RESPONDENTS :

- 1. THE AGRICULTURAL PRODUCTION COMMISSIONER**
OFFICE OF THE AGRICULTURAL PRODUCTION COMMISSIONER
GOVT. SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001.
- 2. THE DISTRICT COLLECTOR**
OFFICE OF THE DISTRICT COLLECTOR, COLLECTORATE
THRISSUR, PIN-680003.
- 3. AGRICULTURAL OFFICER**
MELOOR, KRISHIBHAVAN, MELOOR GRAMAPANCHAYATH OFFICE
CHALAKKUDY TALUK, MELOOR P.O., PIN-680311.
- 4. THE VILLAGE OFFICER**
OFFICE OF THE VILLAGE OFFICE, MELOOR VILLAGE
CHALAKKUDY TALUK, MELOOR P.O., PIN-680311.
- 5. THE SECRETARY**
MELOOR PANCHAYATH, PANCHAYATH OFFICE, MELOOR P.O.
PIN-680311.

R1 TO R4 BY SPL. GOVT. PLEADER (REVENUE) SRI. P.K. SOYUZ
R5 BY ADV. SRI.P.V.PAULSON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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WP(C).No. 33093 of 2014 (J)

APPENDIX

PETITIONERS' EXHIBITS :

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| EXHIBIT P1- | TRUE COPY OF THE SALE DEED NO. 6533/12 OF CHALAKKUDY SRO DATED 26-12-2012. |
| EXHIBIT P2- | TRUE COPY OF THE SALE DEED NO. 6531/12 OF CHALAKKUDY SRO DATED 26-12-2012. |
| EXHIBIT P3- | TRUE COPY OF RELEVANT PAGE NO. 67 OF THE DATED BANK REGISTER KEPT IN THE OFFICE OF THE 3RD RESPONDENT. |
| EXHIBIT P4- | TRUE PHOTOGRAPHS OF THE LANDSCAPE OF THE SAID PLOT. |
| EXHIBIT P5- | TRUE PHOTOGRAPHS OF THE LANDSCAPE OF THE SAID PLOT. |
| EXHIBIT P6- | TRUE COPY OF THE CERTIFICATE ISSUED BY THE 5TH RESPONDENT VIDES REFERENCE NO. KBM 11/2014-15. |
| EXHIBIT P7- | TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE 5TH RESPONDENT FOR CONSTRUCTION OF THE PUMP HOUSE IN SURVEY NO. 222/3 OF MELOOR VILLAGE. |
| EXHIBIT P8- | TRUE COPY OF THE CERTIFICATE ISSUED BY THE UNION BANK OF INDIA DATED 20-11-2014. |
| EXHIBIT P9- | TRUE COPY OF THE REPORT SUBMITTED BY THE 3RD RESPONDENT DATED 13-8-2014. |
| EXHIBIT P10- | TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT VIDES PROCEEDINGS NO. B11/51067/14 DATED 10/14. |
| EXHIBIT P11- | TRUE COPY OF THE REVISION PETITION DATED 26-11-2014. |

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No.33093 of 2014

Dated this the 12th day of January, 2015

JUDGMENT

Being aggrieved of Ext.P10 order passed by the 2nd respondent, under restoration of the property under Section 13 of the Kerala Conservation of Paddy Land and Wet Land Act, the petitioners have already moved the 1st respondent by way of Ext.P11 Revision Petition (though the same has been styled as an appeal).

2. Heard the learned counsel for the petitioners, learned Special Government Pleader appearing on behalf of respondents 1 to 4 and also the learned Standing Counsel for the 5th respondent.

3. After hearing both the sides, 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.P11 in accordance with law, after affording an opportunity of hearing to the petitioners and also the 5th respondent. The proceedings as above shall be finalised at the

earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment.

'Status quo' shall continue till such time.

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

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

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