

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

WP(C).No. 33730 of 2014 (m)

PETITIONER(S):

KARITHIYAYANIAMMA @ KOCHAMMINIAMMA
AGED 78 YEARS, W/O.C.AYYAPPAN NAIR,
CHANGARANGATH HOUSE,
AMALA NAGAR P.O., THRISSUR.

BY ADVS.SRI.C.HARIKUMAR
SMT.C.B.ANUROOPA.

RESPONDENT(S):

* ADDRESS AMENDED

1. THE STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR,
CIVIL STATION,
THRISSUR-680 003.

* DISTRICT COLLECTOR,
CIVIL STATION, THRISSUR - 680 003

* ADDL R2 IMPEADED

R2. AGRICULTURE OFFICER,
KRISHI BHAVAN, THEKKUMKARA P.O.,
THRISSUR - 680 589.

[*ADDRESS OF R1 AMENDED AS PER ORDER DATED
30.01.2015 IN IA 1421/15 & ADDL.R2 IMPEADED AS PER ORDER
DATED 30.01.2015 IN IA 1420/15.]

*ADDL. R3 IMPEADED

R3 THE SECRETARY TO GOVERNMENT OF KERALA,
DEPARTMENT OF AGRICULTURE.

[*SUO MOTU IMPEADED AS ADDL. R3 VIDE JUDGMENT DATED
02/03/2015]

BY GOVERNMENT PLEADER SRI.P.K.SOYUZ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1: COPY OF THE SALE DEED NO.998 DATED 11.5.1978.
- EXT. P2: COPY OF THE RECEIPTS OF REMITTANCE OF LAND TAX DATED 26.3.2013 OF THE THEKKUMKARA VILLAGE OFFICE.
- EXT. P3: COPY OF THE NOTICE DATED 3.9.2014 BEFORE THE RESPONDENT.
- EXT. P4: COPY OF THE WRITTEN SUBMISSION PREFERRED BY THE PETITIONER BEFORE THE RESPONDENT DATED 8.10.2014.
- EXT. P5: COPY OF THE ORDER DATED 20.10.2014 ISSUED BY THE RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.33730 of 2014

Dated this the 2nd day of March, 2015

JUDGMENT

The petitioner is challenging the correctness and sustainability of Ext.P5 order dated 20.10.2014 passed by the first respondent under Kerala Conservation of Paddy Land and Wet Land Act.

2. Heard the learned Special Government Pleader as well.

3. It is seen that, the petitioner is having effective alternative remedy by way of Revision under Section 28 of the said Act.

4. In the said circumstances, the petitioner is relegated to avail such remedy. If any such Revision Petition is filed before the Secretary to Government of Kerala, Department of Agriculture within 'two weeks' from the date of receipt of a copy of this judgment, the same shall be considered and appropriate orders shall be passed in accordance with law, after affording an

opportunity of hearing to the petitioner, at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment. So as to facilitate such exercise, the 'Secretary to Government of Kerala, Department of Agriculture' is suo motu impleaded in the party array as addl. 3rd respondent and the learned Government Pleader entered appearance on behalf of the said respondent.

'Status quo' shall be maintained till finalisation of proceedings as above.

The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the concerned respondents, for further steps.

The writ petition is disposed of as above.

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

sp