

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 34112 of 2015 (L)

PETITIONER :

**ARTHA SHASTRA VENTURES (INDIA) L.L.P.,
SREESHYLAM, BUILDINGS, VIVEKODAYAM SCHOOL LANE,
THRISSUR-680 001
REPRESENTED BY ITS MANAGING PARTNER
MR.ARUN SHANKAR.**

BY ADV. SRI.MILLU DANDAPANI

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT COLLECTOR,
THRISSUR-680 003.**
- 3. KOLAZHY GRAMA PANCHAYAT,
KOLAZHY, THRISSUR P.O., M.G.KAVU, THRISSUR-680 581,
REPRESENTED BY ITS SECRETARY.**
- 4. AGRICULTURAL OFFICER,
KRISHI BHAVAN, KOLAZHY, M.G.KAVU, THRISSUR-680 581.**
- 5. LOCAL LEVEL MONITORING COMMITTEE,
KOLAZHY PANCHAYAT, THRISSUR-680 581,
REPRESENTED BY ITS CONVENOR.**

R1,R2,R4 & R5 BY SPL.GOVERNMENT PLEADER SRI.P.K.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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A.Muhamed Mustaque, J.

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W.P.(C)No.34112 of 2015

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Dated this the 3rd day of December, 2015.

JUDGMENT

1. Petitioner is the owner and is in possession of landed properties in Sy.No.219/7 of Kolazhy village, Thrissur District. According to the petitioner, it is a converted land much before the enactment of Act 28 of 2008. The petitioner has approached this court aggrieved by Ext.P10 order of the District Collector, Thrissur.
2. It is submitted by the learned Government Pleader that in the draft data bank, the land in question is recorded as Nilam. In that view of the matter, this court is of the view that if the petitioner approaches the Local Level Monitoring committee to correct the entry relating to the land, appropriate action shall be taken to conduct site inspection and find out whether the same can be classified as Nilam as on the date of enactment of Act 28 of 2008. If it cannot be classified as Nilam, necessary correction shall be carried out in the draft data

bank. Needful shall be done by the 5th respondent within a period of two months from the date of receipt of such request from the petitioner, after giving notice to the petitioner.

3. If the draft data bank is corrected, all proceedings initiated against the petitioner under Act 28/2008 shall be revoked. However, if the 5th respondent refused to correct the entry, it is open for the authority to implement the order. Till a decision is taken, status quo shall be maintained.

The writ petition is disposed of as above.

Muhamed Mustaque, Judge.

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