

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

WP(C).No. 34267 of 2015 (G)

PETITIONER:

**DR. P.K. MOIDEEN,
S/O.KADEER, 'SHARMILA',
CIVIL LINES ROAD, AYYANTHOLE P O,
THRISSUR 680003.**

**BY ADVS.SRI.C.CHANDRASEKHARAN
SMT.P.M.SWAYAM PRABHA**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE DISTRICT COLLECTOR, THRISSUR.**
- 2. THE LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CONVENER AGRICULTURAL OFFICER,
(CORPORATION OF THRISSUR) KRISHI BHAVAN,
THRISSUR 680001.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 34267 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- TRUE COPY OF THE TITLE DEED NO 1731/2014 OF S R O AYYANTHOLE IN
THRISSUR DISTRICT**
- P2:- TRUE COPY OF THE SKETCH OF THE PROPERTY OF PETITIONER AND
NEIGHBOURING LAND**
- P3:- TRUE COPY OF THE REPRESENTATION DTD 18/9/2015 SUBMITTED BY THE
PETITIONER BEFORE THE CONVENER , LOCAL LEVEL MONITORING
COMMITTEE, THRISSUR CORPORATION**
- P4:- TRUE COPY OF THE REPRESENTATION DTD 26/9/2015 SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT**

RESPONDENT(S)' EXHIBITS

NIL

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 34267 of 2015

Dated this the 13th day of November, 2015

J U D G M E N T

Petitioner claims to be the owner and in possession of 34 cents of land in Sy.No.545 of Ayyanthole village. According to the petitioner, it is a converted land much before the enactment of Act 28 of 2008 and this was erroneously included in the draft data bank. Petitioner approached the second respondent/the Local Level Monitoring Committee (LLMC) by way of Exts.P3 and P4 representations.

2. Considering the facts and circumstances of the case, the following directions are issued.

If the data bank has not been finally notified, the second respondent/the L.L.M.C. shall consider the request of the petitioner as Exts.P3 and P4. This shall be done within a period of two months from the date of receipt of a copy of this judgment, after notice to the

petitioner. The L.L.M.C. shall verify, whether the land in question can be treated as a paddy, wetland or nilam as on the date of enactment of Act 28 of 2008. If it cannot be classified as above, necessary corresponding entries shall be effected in the data bank.

This writ petition is disposed of as above.

A.MUHAMED MUSTAQUE,
Judge

MBS/

The survey number mentioned in the second line of the first paragraph of the judgment dated 13/11/2015 in W/P(C) No. 34267/2015 is corrected and substituted as “**Sy.No.546/4**” instead of “**Sy.No.545**” as per order dated 26/07/2016 in I.A. No.9853/2016 in W.P(C) No.34267/2015.

sd/-
Registrar (Judicial)