

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).No. 34924 of 2015 (M)

PETITIONER:

**SHIHAB, AGED 36 YEARS,
S/O ABOOBACKAR, NAREECKAMATTAM HOUSE,
ASHAMANNOOR P.O., ERNAKULAM DISTRICT-673594.**

**BY ADVS.SRI.AVANEESH KOYIKKARA
SRI.LINDONS C.DAVIS**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF AGRICULTURE, SECRETARIAT,
THIRUVANANTHAPURAM-695001.**
- 2. THE DISTRICT COLLECTOR,
ERNAKULAM-682030.**
- 3. AGRICULTURAL OFFICER & CONVENER,
LOCAL LEVEL MONITORING COMMITTEE,
KRISHI BHAVAN, ASHAMANNOOR-683549.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 34924 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1: TRUE COPY OF LETTER NO.AMR 18/2015-16 ALONG WITH RELEVANT
PAGES OF DATA BANK REGISTER ISSUED BY THE 3RD RESPONDENT.**

**EXHIBIT P2: TRUE APPLICATION AS PER KLU ORDER DATED 4.11.2015 SUBMITTED
BY THE PETITIOENR BEFORE THE DISTRICT COLLECTOR,
ERNAKULAM.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.34924 of 2015

Dated this the 19th day of November, 2015

JUDGMENT

The petitioner approached the second respondent under Clause 6 of the Kerala Land Utilisation Order, 1967(for short, the 'Order').

2. The petitioner's case is that his land is a converted land much before the enactment of the Kerala Conservation of Paddy Land and Wet Land Act, 2008 (for short, the “Act 28/2008”).

In view of the claim of the petitioner, the case shall be considered under Clause 6 of the Order by the second respondent, after verifying the draft data bank to find out whether the property of the petitioner is a paddy or wet land under the Act 28/2008. If the land is not classified as above, necessarily, the application of the petitioner shall be considered under Clause 6 of the Order for utilizing other purpose. Needful shall be done within a period of two months from the date of receipt of a copy of this judgment after issuing notice to the petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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