

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. 34949 of 2015 (P)

PETITIONER(S):

**K.C.LUCKOSE,
S/O. K.J.CHACKO, KUDAKUTHIYIL HOUSE,
PERUNNA KIZHAKKU P.O., CHANGANASSERRY.**

**BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR**

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
THIRUVALLA - 689 101.**
- 2. THE AGRICULTURAL OFFICER/
CONVENER OF THE LOCAL LEVEL MONITORING COMMITTEE,
KRISHI BHAVAN, PERINGARA - 689 108.**
- 3. THE VILLAGE OFFICER,
VILLAGE OFFICE, KAVUMBHAGOM 689 102.**

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:**

msv/

WP(C).No. 34949 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 - TRUE COPY OF THE SALE DEED DOCUMENT NO.131/1/2012 DATED 11.01.2012
REGISTERED IN SUB REGISTRAR OFFICE, THIRUVALLA.**

**P2 - TRUE COPY OF THE RELEVANT PAGE OF THE DATA BANK PREPARED BY THE
2ND RESPONDENT.**

P3 - TRUE COPY OF THE PHOTOGRAPH OF THE LAND.

P4 - TRUE COPY OF THE REPRESENTATION DATED 06.11.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.34949 of 2015

Dated this the 19th day of November, 2015

JUDGMENT

The petitioner approached the first 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 first 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