

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. 34954 of 2015 (T)

PETITIONER:

**MUDITA TRADES PRIVATE LIMITED,
REGISTERED OFFICE, AT DOOR NO. 40/2096, A&B,
PEEVES TRITON, MARINE DRIVE, ERNAKULAM,
REPRESENTED BY ITS SITE SUPERVISOR(SOBHA CITY),
MR. MONU MOHANAN, S/O MOHANAN NAIR, AGED 30 YEARS,
KOZHENCHERY TALUK, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER(R.D.O.),
THRISSUR, THRISSUR DISTRICT-680 001.**
- 2. THE DISTRICT COLLECTOR,
THRISSUR DISTRICT-680 001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

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

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1: TRUE COPY OF THE CERTIFIED EXTRACTS FROM THE MINUTES FOR THE MEETING OF THE BOARD OF DIRECTORS OF PETITIONER HELD ON 3/6/15.
- EXT.P2: TRUE COPY OF THE TAX RECEIPT DT. 13/5/14 ISSUED BY THE VILLAGE OFFICER, KUTTOOR TO THE PETITIONER.
- EXT.P3: TRUE COPY OF THE RELEVANT PAGES OF DRAFT DATA BANK OF KUTTOOR VILLAGE ISSUED BY THE VILLAGE OFFICER, KUTTOOR VILLAGE.
- EXT.P4: TRUE COPY OF THE APPLICATION DT. 1/10/15 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT UNDER THE PROVISIONS OF THE KERALA LAND UTILIZATION ORDER, 1967.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.34954 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 their 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