

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

WP(C).No. 35558 of 2015 (T)

PETITIONER(S):

**THOMAS, AGED 50 YEARS,
S/O DEVASSY, KALLELI HOUSE, CHALAKUDY,
THRISSUR DISTRICT.**

**BY ADVS.SRI.RENJITH THAMPAN (SR.)
SMT.P.R.REENA**

RESPONDENT(S):

- 1. REVENUE DIVISIONAL OFFICER,
O/O. REVENUE DIVISIONAL OFFICER, THRISSUR,
PIN:680 003.**
- 2. TAHSILDAR,
TALUK OFFICE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT, PIN:680 121.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 35558 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE BASIC TAX RECEIPT ISSUED TO THE PETITIONER
DATED 20.5.2014.**

EXHIBIT P2: TRUE COPY OF POSSESSION CERTIFICATE DATED 28.3.2015.

EXHIBIT P3: PHOTOGRAPH SHOWING THE PETITIONERS PROPERTY.

**EXHIBIT P4: TRUE COPY OF THE ENTRY IN RESPECT OF PETITIONERS LAND IN THE
DATA BANK.**

EXHIBIT P5: TRUE COPY OF SAID JUDGMENT REPORTED IN 2015 (3) KHC 19.

**EXHIBIT P6: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE REVENUE DIVISIONAL OFFICER DATED 3.11.2015.**

**EXHIBIT P7: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE RESPONDENTS DATD 3.11.2015.**

**EXHIBIT P8: TRUE COPY OF THE LETTER ISSUED BY THE PANCHAYAT
DATED 23.6.2015.**

**EXHIBIT P9: TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN
WPC NO.30065/2015 DATED 5.10.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.35558 of 2015

Dated this the 24th day of November, 2015

JUDGMENT

The petitioner approached the respondents 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 respondents, 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

In