

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937Q

WP(C).No. 36090 of 2015 (I)

PETITIONER :

DEEPAREJI ABRAHAM,
NO.4, 15TH AAVENUE, HARRINGTON ROAD,
CHETPET, CHENNAI - 600 031

BY ADVS.SRI.S.M.PREM
SRI.P.RAMACHANDRAN (PALAKKAD)

RESPONDENTS :

1. THE AGRICULTURAL OFFICER, CONVENER OF THE LOCAL LEVEL MONITORING COMMITTEE, EDATHALA GRAMA PANCHAYAT, OFFICE OF THE AGRICULTURAL OFFICER, KRISHIBHAVAN, EDATHALA NORTH, PIN - 683 564
2. THE VILLAGE OFFICER, MEMBER OF THE LOCAL LEVEL MONITORING COMMITTEE, EDATHALA GRAMA PANCHAYAT,ALUVA EAST VILLAGE OFFICE, CHOONDI, ALUVA EAST - 683 564
3. THE PRESIDENT, EDATHALA GRAMA PANCHAYAT, CHAIRMAN OF THE LOCAL LEVEL MONITORING COMMITTEE, OFFICE OF THE EDATHAL GRAMA PANCHAYAT, EDATHALA NORTH, PIN - 683 564.

R BY GOVERNMENT PLEADER SRI.BIJU MEENATTOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 36090 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE PETITIONER'S REPRESENTATION SUBMITTED TO THE 1ST RESPONDENT - CONVENER OF THE LOCAL LEVEL MONITORING COMMITTEE OF EDATHALA GRAMA PANCHAYAT REQUESTING TO MAKE APPROPRIATE CORRECTIONS IN THE DATA BANK REGARDING THE RECLAIMED NATURE OF THE LAND.

RESPONDENTS' EXHIBITS : NIL

/TRUE COPY/

P.A TO JUDGE

AV

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.36090 of 2015

Dated this the 30th day of November, 2015

J U D G M E N T

The petitioner is the owner in possession of landed property situated in Resurvey Nos.521/3 & 521/3-2 of Aluva East Village. The petitioner's grievance is that, the said land is classified as 'Nilam' in the Basic Tax Register.

2. As per the Draft Data Bank prepared under the Act 28 of 2008, some portions of the land situated in Aluva East Village is recorded as paddy land. The petitioner points out that, the other portion of the land situated in Kakkanad Village, is treated as reclaimed land.

3. Considering the facts and circumstances of the case, this Court is of the view that, if the Draft Data Bank has not been finally notified, the Local Level Monitoring Committee shall conduct an inspection of the petitioner's property and find out whether the land in question can be classified as paddy land or wet land as on the date of enactment of the Act 28 of 2008. If it cannot be classified as paddy, necessary corrections shall be carried out in the Data Bank. Needful 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.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.