

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937**

**WP(C).No. 36373 of 2015 (V)**  
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**PETITIONER :**  
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**DIVAKARAN NAIR, AGED 68,  
S/O. MADHAVA KURUP, VALIYAPARAMBATH, "DIVYAKARTHIK"  
MAKKADA P.O., KAKKODI, KOZHIKODE DISTRICT.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)  
SRI.PRASANTH M.P.**

**RESPONDENT(S) :**  
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- 1. THE VILLAGE OFFICER,  
KAKKODI, KOZHIKODE DISTRICT  
PIN - 673 611.**
- 2. THE AGRICULTURAL OFFICER  
KRISHI BHAVAN, KAKKODI P.O.  
KOZHIKODE DISTRICT, PIN - 673 611.**
- 3. THE REVENUE DIVISIONAL OFFICER  
KOZHIKODE, PIN - 673 004.**
- 4. THE DISTRICT COLLECTOR  
KOZHIKODE, PIN - 673 004.**
- 5. LOCAL LEVEL MONITORING COMMITTEE  
CONSTITUTED UNDER THE KERALA PADDY LAND & WET LAND ACT, 2008,  
REPRESENTED BY ITS SECRETARY, KAKKODI P.O.  
KOZHIKODE DISTRICT, PIN - 673 611**
- 6. STATE OF KERALA  
REPRESENTED BY THE SECRETARY TO GOVERNMENT  
MINISTRY OF AGRICULTURE, GOVERNMENT SECRETARIAT  
THIRUVANANTHAPURAM, PIN - 695 001.**

**R1 TO R6 BY GOVT. PLEADER SMT. C.K. SHERIN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 02-12-2015, ALONG WITH WP(C) NO. 36387/2015 & 36392/2015, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**Mn**

**...2/-**

WP(C).No. 36373 of 2015 (V)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1 - TRUE COPY OF THE JENMAM ASSIGNMENT DEED NO. 598/1982  
DT. 10.3.1982.
- EXT. P2 - TRUE COPY OF THE JENMAM ASSIGNMENT DEED NO. 679/1982 AND  
19.3.1982.
- EXT. P3 - TRUE COPY OF REVISION PETITION FILED BY THE PETITIONER  
BEFORE THE GOVERNMENT DT. 12.11.2012.
- EXT. P4 - TRUE COPY OF THE LETTER ISSUED BY THE GOVERNMENT  
DT. 12.10.2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

**A.MUHAMED MUSTAQUE, J.**

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**W.P.(C).36373/2015, 36387/2015 and 36392/2015**  
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Dated this the 2<sup>nd</sup> Day of December, 2015

**J U D G M E N T**

The petitioner in 36373 of 2015 is the owner and in possession of 1 acre and 8.07 cents of land comprised in resurvey No. 51/3 of Moreekkara Desom, Kakkodi Village, Kozhikode. The petitioner in WPC 36387 of 2015 is the owner and in possession of 98 cents of land comprised in resurvey No. 792A and 792B of Mokavoor Desom, Elathur Village, Kozhikode. The petitioner in WPC 36392 of 2015 is the owner and in possession of 85.5 cents of land comprised in resurvey No. 79/1 and 79/2A of Mokavoor Desom, Elathur Village, Kozhikode. The aforesaid the land is classified as Paddy land in the draft data bank. According to the petitioners, the above land is a converted land and the same have been erroneously included as Paddy land in the draft data bank.

2. This Court is of the view that the petitioners shall approach the Local Level Monitoring Committee to correct the entries relating to the land in the draft data bank. Therefore, the following directions are issued:

The petitioner shall approach the Local Level Monitoring Committee within

**W.P.(C).Nos.36373/2015, 36387/2015 & 36392/2015**

**-:2:-**

a period of one week from the date of receipt of a copy of this judgment. The Local Level Monitoring Committee shall on receipt of the applications from the petitioners, conduct an inspection to consider whether the land can be classified as Paddy land or wet land. If it cannot be classified as above, necessary action shall be taken to reclassify the same in the draft data bank. Notice of inspection shall be given to the petitioner. It is made clear that the Local Level Monitoring Committee need not act upon the above direction, if the draft data bank has been finally notified.

The writ petitions are disposed of as above. No costs.

**Sd/-**

**A.MUHAMED MUSTAQUE, JUDGE**

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