

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

WP(C).No. 36802 of 2015 (A)

PETITIONER:

**SHALY THOMAS, W/O.THOMAS,AGED 51 YEARS,
MANAGING DIRECTOR, THOMSON TILES PVT. LTD.,
ANNALLOOR P.O, THRISSUR DISTRICT, PIN - 680734.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE RDO, THRISSUR - 680 001.**
- 2. THE TAHSILDAR,
CHALKUDY TALUK, CHALAKUDY P.O - 680 722.**
- 3. THE VILLAGE OFFICER, VILLAGE OFFICE,
PADINJARECHALAKKUDY, THRISSUR DISTRICT - 680 722.**
- 4. THE LOCAL LEVEL MONITORING COMMITTEE
FOR CHALAKKUDY MUNICIPALITY,
REPRESENTED BY ITS CONVENER,
THE AGRICULTURAL OFFICER, KRISHI BHAVAN,
CHALAKKUDY - 680 772.**
- 5. THE STATE ENVIRONMENTAL IMPACT ASSESSMENT
COMMITTEE, REPRESENTED BY ITS SECRETARY,
PALLIMUKKKU, PETTAH P.O,
THIRUVANANTHAPURAM - 695024.**

R1 TO R4 BY GOVERNMENT PLEADER SRI.M.R.ARUNKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1:- TRUE COPY OF THE DOCUMENT NO 3098 OF 1996 OF S.R.O CHALKKUDY.
- P2:- TRUE COPY OF THE APPLICATION DTD 7/6/2014 SUBMITTED BY THE PETITIONER BEFORE THE 5TH RESPONDENT.
- P3:- TRUE COPY OF THE SKETCH PREPARED BY THE VILLAGE OFFICER.
- P4:- TRUE COPY OF THE AFFIDAVIT OF THE PETITIONER ATTESTED BY A NOTARY PUBLIC.
- P5:- TRUE COPY OF THE LAND TAX RECEIPT.
- P6:- TRUE COPY OF THE PERMIT ISSUED BY THE JOINT DIRECTOR, FACTORIES AND BOILERS DEPARTMENT, ERNAKULAM.
- P7:- TRUE COPY OF THE NOTICE FOR PERSONAL HEARING ISSUED BY THE 5TH RESPONDENT.
- P8:- TRUE COPY OF THE RELEVANT PAGES OF THE AGENDA AND THE DECISION TAKEN BY THE 5TH RESPONDENT.
- P9:- TRUE COPY OF THE REQUEST DTD 16/6/2015 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- P10:- TRUE COPY OF THE REQUEST DTD 19/6/2015 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.Muhamed Mustaque, J.

=====

W.P.(C) No.36802 of 2015

=====

Dated this the 4th day of December, 2015.

JUDGMENT

1. Petitioner is in possession of land in Sy.No690, 696, 700/1, 702/3 & 703/2 through Document No.3098 of 1996 of SRO, Chalakudy. According to the petitioner, it is a converted land much before the enactment of Act 28 of 2008. However it is submitted that the land is erroneously included in the data bank.
2. If the petitioner approaches the Local Level Monitoring committee to correct the entry relating to the land, appropriate action shall be taken to conduct site inspection and find out whether the same can be classified as Nilam, paddy land or wet land as on the date of enactment of Act 28 of 2008. If it cannot be classified as Nilam, paddy land or wet land, necessary correction shall be carried out in the draft data bank. Needful shall be done by the 5th respondent

within a period of one month from the date of receipt of such request from the petitioner, after giving notice to the petitioner.

The writ petition is disposed of as above.

Muhamed Mustaque, Judge.

sl.