

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 36965 of 2015 (U)

PETITIONER :

**P.M. RAPHEL
S/O. MATHEW, AGED 72 YEARS
PAPPALY HOUSE, ASOKAPURAM
ALUVA – 683 101.**

**BY ADVS.SRI.PAUL K.VARGHESE
SMT.A.A.GEETHA**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR
CIVIL STATION, KAKKANAD, COCHIN – 682 030**
- 2. THE REVENUE DIVISIONAL OFFICER
MUVATTUPUZHA, ERNAKULAM, PIN – 686 633.**

R1 & R2 BY GOVT. PLEADER SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 36965 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF THE REPORT OF THE VILLAGE OFFICER TO THE TAHSILDAR
DATED 11/12/14.**
- EXT.P2 COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE
DISTRICT COLLECTOR, ERNAKULAM DATED 17/11/2015.**
- EXT.P3 COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
BEFORE REVENUE DIVISIONAL OFFICER, FORT KOCHI DATED
17/11/15.**
- EXT.P4 COPY OF THE REPORT SUBMITTED BY THE KEEZHUMAD VILLAGE
OFFICER TO THE REVENUE DIVISIONAL OFFICER DATED 1/12/2015.**

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.36965 of 2015

Dated this the 07th day of December, 2015

JUDGMENT

The petitioner approached the second respondent 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 second 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

bpr