

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 37160 of 2015 (T)

PETITIONER :

- 1. PAUL, S/O. DEVASY, AGED 29 YEARS,
NELLISSERY HOUSE, PULLAZHY P.O. OLARIKKARA,
THRISSUR DISTRICT.**
- 2. RAPHY ANTONY S/O. ANTONY, AGED 56 YEARS,
PONTHEKKAN HOUSE, CHIYARAM, THRISSUR DISTRICT.**

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

RESPONDENTS :

- 1. THE REVENUE DIVISIONAL OFFICER, TIRUR - 680581.**
- 2. THE VILLAGE OFFICER, VILLAGE OFFICE,
OLLUR, THRISSUR DISTRICT - 680306.**

R1 & R2 BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF DOCUMENT NO. 5564/2004 OF SRO KUTTANELLUR.
- P2: COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE R2 DT 28/9/2015.
- P3: COPY F THE LAND TAX RECEIPT ISSUED BY THE R2 DT 20/6/2015.
- P4: COPY OF THE RELEVANT PAGES OF THE BASIC TAX REGISTER.
- P5: COPY OF THE RELEVANT PAGES OF THE DATA BANK.
- P6: COPY OF THE APPLICATION DT 22/9/2015 SUBMITTED UNDER CLAUSE 6(2) OF THE KERALA LAND UTILISATION ORDER, 1967.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.37160 of 2015

Dated this the 8th day of December, 2015

JUDGMENT

The petitioners approached the first respondent under Clause 6 of the Kerala Land Utilisation Order, 1967(for short, the Order).

2. The petitioners case is that their 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 petitioners, the case shall be considered under Clause 6 of the Order by the first respondent, after verifying the draft data bank to find out whether the property of the petitioners is a paddy or wet land under the Act 28/2008. If the land is not classified as above, necessarily, the application of the petitioners 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 petitioners.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE