

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

WP(C).No. 37426 of 2015 (C)

PETITIONER :

**JOY THAIKKADAN, S/O.DEVASSY, AGED 54 YEARS,
THAIKKADAN HOUSE, MADKKATHARA P.O.,
MADAKATHARA VILLAGE, THRISSUR TALUK,
THRISSUR DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS :

- 1. THE REVENUE DIVISIONAL OFFICER, THRISSUR
THRISSUR DISTRICT, PIN 680001.**
- 2. THE DISTRICT COLLECTOR,
THRISSUR DISTRICT - 680001.**

R1 & R2 BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- TRUE COPY OF THE TAX RECEIPT OF THE PROPERTY OF THE PETITIONER DATED 30.9.2014 ISSUED BY THE VILLAGE OFFICER, MADAKKATHARA VILLAGE.
- P2:- TRUE COPY OF THE RELEVANT PAGES OF DRAFT DATED BANK ISSUED BY THE AGRICULTURAL OFFICE, MADAKKATHARA.
- P3:- TRUE COPY OF THE APPLICATION DATED 27.11.2015 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT UNDER THE PROVISIONS OF THE KERALA LAND UTILIZATION ORDER, 1967

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.37426 of 2015

Dated this the 10th day of December, 2015

JUDGMENT

The petitioner approached the first 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

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