

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

WP(C).No. 37754 of 2015 (T)

PETITIONER(S):

**SHEENA ROY, AGED 40 YEARS,
W/O.ROY J VELLANIKKAREN, VELLANIKKARAN HOUSE,
PLOT NO.214, 3RD STREET, HILL GARDENS,
KUTTANELLOOR, THRISSUR DISTRICT.**

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

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
THRISSUR-680001.**
- 2. THE VILLAGE OFFICER,
VILLAGE OFFICE, CHIYYARAM, THRISSUR-680015.**

BY SPECIAL GOVERNMENT PLEADER SRI.P.K.SOYUZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 37754 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF DOCUMENT NO.4955/2014 OF SRO, THRISSUR.**
- P2 : TRUE COPY OF DOCUMENT NO.5804/2014 OF SRO, THRISSUR.**
- P3 : TRUE COPY OF THE LAND TAX RECEIPT DT 18-5-2015 ISSUED BY THE 2ND RESPONDENT.**
- P4 : TRUE COPY OF THE RELEVANT PAGES OF THE DATA BANK IN RESPECT OF THE PROPERTIES COVERED BY EXHIBITS P1 AND P2.**
- P5 : TRUE COPY OF THE REQUEST DT 20-11-2015 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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W.P(C)No.37754 of 2015

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Dated this the 14th day of December, 2015

JUDGMENT

The petitioner approached the 1st 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 1st 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