

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

WP(C).No. 39742 of 2015 (P)

PETITIONER:

G.MOHANAN AGED 59 YEARS
S/O GOPALAN ACHARI, CHITHRAM, TNRA-105
THIRUMULLAVARAM P O, KOLLAM -12

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001
2. THE DISRTRICT COLLECTOR
COLLECTORATE, CUTCHERY PO, KOLLAM-691 013
3. THE AGRICULTURAL OFFICER,
KRISHI BHAVAN, STADIUM COMPLEX, KOLLAM-691 001
4. THE TAHASILDAR
TALUK OFFICE, KOLLAM-691 001
5. THE VILLAGE OFFICER
KOLLAM WEST VILLAGE, KOLLAM-691 001
6. THE KOLLAM MUNICIPAL CORPORATION
REPRESENTED BY ITS SECRETARY-691 001

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
BY SRI.M.K.CHANDRA MOHAN DAS,SC,KOLLAM MPT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 39742 of 2015 (P)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: THE TRUE COPY OF THE TAX RECEIPT DT. 15/5/15 ISSUED BY THE
VILLAGE OFFICER , KOLLAM WEST VILLAGE TO THE PETITIONER FOR
THE YEAR 15-16

EXT.P2: THE TRUE PHOTOGRAPH OF THE PROPERTY

EXT.P3: TRUE COPY OF THE CERTIFICATE DT. 6/11/14 ISSUED BY THE 3RD
RESPONDENT TO THE PETITIONER

EXT.P4: THE TRUE COPY OF THE APPLICATION SUBMITTED BY THE
PETITIONER BEFORE THE 6TH RESPONDENT, ITS DETAILS AND RECEIPT

EXT.P5: TRUE COPY OF THE APPLICATION 17/12/15 FILED BY THE
PETITIONER FILED BEFORE THE 2ND RESPONDENT AND ITS POSTAL
RECEIPT

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A.TO JUDGE

sm

A. MUHAMED MUSTAQUE, J.

W.P.(C).No. 39742 of 2015

Dated this the 23rd day of December, 2015

JUDGMENT

The petitioner has approached the District Collector, Kollam, by Ext.P5 under clause 6 of the Kerala Land Utilisation Order, seeking a permission to utilise the converted paddy land for other purposes.

2. In view of the amended provisions of Section 3A of Act 28/2008, the District Collector has no power to entertain the request under clause 6 of the Kerala Land Utilisation Order. However, if the petitioner approaches the District Collector in terms of Section 3A of amended provisions of Act 28/2008 in a requisite form, the same shall be considered within one month from the receipt of such application.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE