IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 24TH DAY OF JULY 2020 / 2ND SRAVANA, 1942

WP(C).No.34997 OF 2019(Y)

PETITIONER/S:

**CHANDRA MOHAN, AGED 63 YEARS, S/O KRISHNA PILLAI,
CHADRIMA,PODIADI.P.O, THIRUVALLA TALUK,
PATHANAMTHITTA DISTRICT,PIN-689110.**

**BY ADVS.
SRI.VARUGHESE M EASO
SRI.VIVEK VARGHESE P.J.**

RESPONDENT/S:

1 **THE DISTRICT COLLECTOR, PATHANAMTHITTA
CIVIL STATION,PATHANAMTHITTA.P.O,
PATHANAMTHITTA DISTRICT,PIN-689645.**

2 **THE VILLAGE OFFICER,
THIRUVALLA VILLAGE,THIRUVALLA.P.O,
PATHANAMTHITTA DISTRICT, PIN-689101.**

3 **THE REVENUE DIVISIONAL OFFICER,
RDO OFFICE,THIRUVALLA,THIRUVALLA.P.O,
PATHANAMTHITTA DISTRICT,PIN-689101.**

4 **THE TAHSILDAR,
THALUK OFFICE,THIRUVALLA,THIRUVALLA.P.O,
PATHANAMTHITTA DISTRICT,PIN-689101.**

5 **THE LOCAL LEVEL MONITORING COMMITTEE,
REPRESENTED BY ITS CONVENOR,AGRICULTURAL OFFICER,
THIRUVALLA KRISHIBHAVAN,AVUMBHAGAM,
THIRUVALLA.P.O, PATHANAMTHITTA DISTRICT,PIN -689101.**

6 **STATE OF KERALA,REPRESENTED BY THE PRINCIPAL
SECRETAYR,DEPARTMENT OF REVENUE,
SECRETARIAT,THIRUVANANTHAPURAM-695001.**

OTHER PRESENT:

SRI.SAIGI JACOB PALATTY, SR.GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24.07.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ALEXANDER THOMAS, J.

W.P(C).No.34997 Of 2019

Dated this the 24th day of July, 2020.

J U D G M E N T

The prayers in the above Writ Petition (Civil) are as follows:

> *i) Issue a writ of mandamus or other appropriate writ, order or call for the records of entry of 'wet land' in the Basic Tax Register maintained by the 2nd respondent related to the Exhibit P1 to P4 properties.*
>
> *ii) Issue writ of mandamus directing the 1st respondent to call for the records relating to the Exhibit P9 and P10 and allow these applications without insisting to comply the provisions of 2018 amendment in the Kerala Conservation of Paddy land and wet land Act, after affording an opportunity to the petitioner for hearing within the time frame to be fixed by this Honourable Court.*
>
> *iii) Issue any other appropriate writ, order or direction also may be granted to meet out justice under the circumstances of the above case, and*
>
> *iv) Cost of this proceedings.*

2. Heard Sri.Varughese M.Easo, learned counsel appearing for the petitioner and Sri.Saigi Jacob Palatty, learned Senior Government Pleader appearing for the respondents.

3. Sri.Varughese M.Easo, learned counsel appearing for the petitioner would submit on the basis of instructions of his party that leave may be granted to the petitioner to withdraw the Writ Petition with liberty file a fresh Writ Petition after making

comprehensive pleading regarding the factual grounds, etc. Liberty is accorded to the petitioner to work out his remedies in the manner known to law.

With the said liberty, the above Writ Petition (Civil) will stand dismissed as withdrawn.

Sd/-
ALEXANDER THOMAS,
Judge.

bkn/-

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF SALE DEED NO.2033/97 OF SRO TIRUVALLA DT.14/07/97.**
EXHIBIT P2	**TRUE COPY OF SALE DEED NO.1527/01 OF SRO THIRUVALLA DT.31/05/01.**
EXHIBIT P3	**TRUE COPY OF SALE DEED NO.1526/01 OF SRO THIRUVALLA DT.31/05/01.**
EXHIBIT P4	**TRUE COPY OF SALE DEED NO.1444/99 OF SRO TIRUVALLA DT.10/06/99.**
EXHIBIT P5	**TRUE COPY OF THE LAND TAX RECEIPT DATED 14/06/2019 BY THE VILLAGE OFFICER,THIRUVALLA.**
EXHIBIT P6	**TRUE COPY OF THE MINUTES NO A3-389/1999 HELD ON 10/11/1999**
EXHIBIT P7	**TRUE COPY OF THE LETTER NO B/3152/2015 DATED 01/06/2015 BY RDO,THIRUVALLA TO DISTRICT COLLECTOR.**
EXHIBIT P8	**TRUE COPY OF THE REPORT NO C2-912/14 DATED 04/06/2015 OF THE DISTRICT COLLECTOR,PATHANAMTHITTA TO THE PRINCIPAL SECRETARY,REVENUE(B)DEPT.SECRETARIAT, THIRUVANANTHAPURAM**
EXHIBIT P9	**TRUE COPY OF THE REQUEST TO THE 4TH RESPONDENT DATED 07/01/2014 BY THE PETITIONER.**
EXHIBIT P10	**TRUE COPY OF THE REQUEST TO THE 3RD RESPONDENT DATED 05/01/2015 BY THE PETITIONER.**
EXHIBIT P11	**TRUE COPY OF THE JUDGMENT DATED 04/02/2015 IN WP(C)NO.3262/2015 OF THIS HON'BLE COURT.**

EXHIBIT P12	**TRUE COPY OF THE REPRESENTATION DT.20/02/15**
EXHIBIT P13	**TRUE COPY OF THE RELEVANT PAGE OF DATA BANK NOTIFICATION .**
EXHIBIT P14	**TRUE COPY OF THE LETTER NO.KBT 26/2014-15 DATED 13/03/2015 ISSUED BY THE 5TH RESPONDENT TO THE 3RD RESPONDENT.**