IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

WEDNESDAY, THE 14TH DAY OF FEBRUARY 2024 / 25TH MAGHA, 1945

WP(C) NO. 5666 OF 2024

PETITIONERS:

1 C.D. JOSHY, AGED 65 YEARS
S/O. LATE C.K. DAMODARAN, CHERAKULAM HOUSE,
IRINJALAKUDA NORTH P.O.,
THRISSUR DISTRICT, PIN - 680125

2 C.D. PRAVIKUMAR, AGED 62 YEARS
S/O. LATE C.K. DAMODARAN, CHERAKULAM HOUSE,
IRINJALAKUDA NORTH P.O.,
THRISSUR DISTRICT, PIN - 680125

3 C.D. SANTHOSH, AGED 60 YEARS
S/O. LATE C.K. DAMODARAN, CHERAKULAM HOUSE,
IRINJALAKUDA NORTH P.O.,
THRISSUR DISTRICT, PIN - 680125

BY ADVS.
M.N.SANJITH
JAISON JOSEPH
JIMMY JOSEPH
VEENA VALLIKANTHAN

RESPONDENTS:

1 STATE OF KERALA
REPRESENTED BY SECRETARY,
REVENUE DEPARTMENT SECRETARIAT BUILDING,
THIRUVANANTHAPURAM, PIN - 695001

2 REVENUE DIVISIONAL OFFICER
OFFICE OF THE RDO, PARAKKUNNAM,
PALAKKAD, PIN - 678001

3 THE LOCAL LEVEL MONITORING COMMITTEE
REPRESENTED BY ITS CONVENOR- AGRICULTURAL OFFICER,
CHITTOOR THATHAMANGALAM MUNICIPAL
KRISHI BHAVAN, PALAKKAD, PIN - 678102

4 AGRICULTURE OFFICER
CHITTOOR THATHAMANGALAM MUNICIPAL KRISHI BHAVAN,

PALAKKAD, PIN - 678102

5 THE VILLAGE OFFICER
CHITTOOR VILLAGE, PIN – 678101
R BY SR.GP SMT.DEVISHREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14.02.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioners are the owners in possession of an extent of 7.23 Ares of land comprised in Re.Sy.No.23/1 of Chittoor Village, Palakkad District.

2. The petitioners have approached this Court seeking a direction to the 2nd respondent, RDO to consider and dispose of Ext.P4 application in Form 5 filed under Rule 4(d) of the Kerala Conservation of Paddy land and Wetland Rules, 2008 (hereinafter referred to as 'the Rules').

3. Ext.P4 being a statutory application under the Rules, the competent authorities have a bounden duty to consider the same in accordance with law within a reasonable time.

Having heard the learned counsel for the petitioners and the learned Government Pleader, this writ petition is disposed of directing the 4th respondent, the Agricultural Officer, to submit a report as contemplated under Rule 4(e) of the Rules to the RDO within two months from the date of receipt of a copy of this judgment. The RDO shall dispose of Ext.P4 application, as expeditiously as possible, at any rate, within a period of two months from the date of receipt of the report from the Agricultural Officer. The timelines as above shall be strictly complied with by the respective officers. In case the report has already been submitted by the Agricultural Officer, the RDO shall dispose of Ext.P4 within the time limit specified earlier. The petitioners shall produce a copy of this judgment along with the

copy of this writ petition before the Agricultural Officer concerned for due compliance.

Sd/-

MURALI PURUSHOTHAMAN
JUDGE

SB

APPENDIX

PETITIONER EXHIBITS

Exhibit P1	**THE TRUE PHOTOCOPY OF THE LAND TAX RECEIPT DATED 01.12.2023 ISSUED BY VILLAGE OFFICE, CHITTOOR BEARING NO. KL09020507400/2023**
Exhibit P2	**THE TRUE PHOTOCOPY OF THE THANDAPPER ACCOUNT CERTIFICATE DATED 20.12.2023 ISSUED BY VILLAGE OFFICER, CHITTOOR BEARING NO. 2023/155929/09**
Exhibit P3	**THE TRUE PHOTOCOPY OF THE POSSESSION CERTIFICATE DATED 19.12.2023 ISSUED BY VILLAGE OFFICER, CHITTOOR**
Exhibit P4	**THE TRUE PHOTOCOPY OF THE APPLICATION SUBMITTED BY THE PETITIONERS IN FORM 5 DATED 08.01.2024 BEARING NO.4/2024/1873091**
Exhibit P5	**THE TRUE PHOTOCOPY OF THE PRINT OUT TAKEN FROM THE WEBSITE OF THE REVENUE DEPARTMENT WWW.REVENUE.KERALA.GOV.IN ON 06.02.2024**