IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

WEDNESDAY, THE 21ST DAY OF FEBRUARY 2024 / 2ND PHALGUNA, 1945

WP(C) NO. 6718 OF 2024

PETITIONER:

SAM. P. RAJAN
AGED 56 YEARS
S/O P.T. RAJAN, PARAYIL MALAYIL HOUSE,
KAYAMKULAM, PIN - 690502
BY ADVs.
JACOB CHACKO
MATHEWS JOSEPH

RESPONDENTS:

1 THE AGRICULTURAL OFFICER
KRISHI BHAVAN, CHERANELLOOR ERNAKULAM, PIN - 682034

2 THE REVENUE DIVISIONAL OFFICER/ SUB COLLECTOR
REVENUE DIVISIONAL OFFICE, KOCHI ERNAKULAM DISTRICT,
PIN - 682001

3 THE LOCAL LEVEL MONITORING COMMITTEE
REP. BY ITS CHAIRMAN/ AGRICULTURAL OFFICER,
CHERANELLOOR KRISHI BHAVAN, ERNAKULAM, PIN - 682034

OTHER PRESENT:

SMT DEVI SHRI R, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21.02.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.V. KUNHIKRISHNAN, J.

W.P.(C).No.6718 of 2024

Dated this the 21st day of February, 2024

JUDGMENT

The above writ petition is filed with following reliefs:-

"I. Issue a Writ of Mandamus or appropriate direction to the 2nd respondent to dispose off Exhibit P2 filed under Rule 4 (d) of the Conservation of Paddy Field and Wet Land Rules and remove the entry of petitioner's property from data Bank within a time frame fixed by this Hon'ble Court.

II. Dispense with filing of the translation of documents in Malayalam produced in the above writ petition as Ext.P1 and Ext.P2.

III. Pass such other writs, orders or directions as this Hon'ble Court may deems just, fit and necessary in the facts and circumstances of this case.

And

IV. Allow the writ petition with cost".

2. When this writ petition came up for consideration, the learned Counsel for the petitioner submits that the petitioner

will be satisfied if a direction is issued to the 2nd respondent to consider Ext.P2 Form-5 application.

3. Heard the learned Government Pleader also.

4. After hearing both sides, I think that prayer can be allowed.

Therefore, this writ petition is disposed of with following directions.

I. The 1st respondent is directed to submit necessary report in Ext.P2 Form-5 application to the 2nd respondent, as expeditiously as possible, at any rate, within 1 month from the date of receipt of copy of this Judgment.

II. The 2nd respondent is directed to consider Ext.P2 Form-5 application, as expeditiously as possible, at any rate, within 2 months from the date of receipt of report from the 1st respondent.

II. The petitioner shall produce a certified copy of this Judgment along with a copy of the writ petition with exhibits, before the 1st & 2nd respondents, for compliance.

Sd/-

P.V. KUNHIKRISHNAN
JUDGE

S.M.K.

APPENDIX

PETITIONER’S EXHIBITS

Exhibit P1	TRUE COPY OF THE RELEVANT PAGES OF THE DATA BANK SHOWING THE PETITIONER'S PROPERTY
Exhibit P2	A TRUE COPY OF THE APPLICATION OF FORM 5 FILED UNDER RULE 4(D) OF THE CONSERVATION OF PADDY FIELD AND WET LAND RULES FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 07.07.2022