IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

MONDAY, THE 29TH DAY OF JULY 2024 / 7TH SRAVANA, 1946

WP(C) NO. 23289 OF 2024

PETITIONER:

JOE JOSEPH,
AGED 44 YEARS
SON OF K.V.JOSEPH, THANAKANDATHIL HOUSE, VETTUVENI, HARIPAD, KARTHIKAPPILLY, ALAPPUZHA- 690514, NOW RESIDING AT THANAKANDATHIL, CHETHIPUZHA, CHANGANACHERRY, INDUSTRIAL NAGAR, KOTTAYAM, PIN - 686106

BY ADVS.
DENIZEN KOMATH
DEAN DENIZEN KOMATH
MEGHA MADHAVAN
RAMZY BIN O.A.

RESPONDENTS:

1. **THE REVENUE DIVISIONAL OFFICER,**
   OFFICE OF THE REVENUE DIVISIONAL OFFICER, FORT KOCHI,ERNAKULAM, PIN - 682001
2. **TAHZILDAR,**
   TALUK OFFICE, ALUVA, ERNAKULAM, PIN - 683101
3. **VILLAGE OFFICER,**
   NEDUMBASSERY VILLAGE, ERNAKULAM, PIN - 683589

OTHER PRESENT:

SMT,PREETHA K.K., SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

MOHAMMED NIAS C.P., J

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W.P(C) No. 23289 of 2024

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Dated this the 29th day of July, 2024

J U D G M E N T

The petitioner, stated to be the owner of the property having an extent of 4.01 Ares of land comprised in Survey Nos.355/11-2 and 356/7-3-2 of Aluva Taluk, in Nedumbassery Village in Ernakulam District, has preferred Ext.P7 application under Form-6 of the Kerala Conservation of Paddy Land and Wetland Act and Rules, 2008, (for short, the Act and the Rules) seeking change of user of the property in the data bank.

2. The learned counsel for the petitioner submits that no orders have been passed on the statutory application so far.

3. Accordingly, there will be a direction to the 3rd respondent Village Officer to give sufficient inputs required under the Act and the Rules to the 1st respondent Revenue Divisional Officer or the officer authorised under Section 2(XVA) of the Act, within two months from today. On receipt of the same, the 1st respondent Revenue Divisional Officer/authorised officer will consider Ext.P7 application within three months thereafter and pass orders strictly in terms of the Act and the Rules.

The writ petition is disposed of as above.

Sd/-

MOHAMMED NIAS C.P.
JUDGE

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APPENDIX OF WP(C) 23289/2024

PETITIONER EXHIBITS

EXHIBIT-P1	**TRUE PHOTOCOPY OF THE LAND TAX RECEIPT,DATED 2.12.2022**
EXHIBIT-P2	**TRUE PHOTOCOPY OF THE SALE DEED BEARING NUMBER 2955/08 OF CHENGAMANAD SRO ,DATED 8.05.2008**
EXHIBIT-P3	**TRUE PHOTOCOPY OF THE APPLICATION PREFERRED BY THE PETITIONER IN FORM NO.5 DATED 03.12.2022**
EXHIBIT-P4	**TRUE PHOTOCOPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WPC NO. 29438/2023 DATED 08.09.2023**
EXHIBIT-P5	**TRUE PHOTOCOPY OF THE ORDER DATED 29.05.2024 ISSUED FROM THE OFFICE OF THE 1ST RESPONDENT**
EXHIBIT-P6	**TRUE PHOTOCOPY OF THE JUDGMENT OF THIS HON'BLE COURT IN CON.CASE(C) NO. 1198/2024 ,DATED 12.06.2024**
EXHIBIT-P7	**TRUE PHOTOCOPY OF FORM NO.6 APPLICATION PREFERRED BY THE PETITIONER BEFORE THE 1ST RESPONDENT,DATED 5.06.2024.**