2025:KER:24974

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

MONDAY, THE 24TH DAY OF MARCH 2025 / 3RD CHAITHRA, 1947

WP(C) NO. 11483 OF 2025

PETITIONER/S:

RAJIV VARGHESE,
AGED 56 YEARS
S/O. VARGHESE, FLAT NO. 17PCD, ABAD OASIS,
PUKKATTUPADY ROAD, UNICHIRA, THRIKKAKARA,
CHANGAMPUZHA NAGAR P.O., ERNAKULAM, PIN - 682033

BY ADVS.
FARHANA K.H.
MUHASIN K.M.

RESPONDENT/S:

1 THE DISTRICT COLLECTOR,
FIRST FLOOR, CIVIL STATION, KAKKANAD,
ERNAKULAM, PIN - 682030

2 THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI REVENUE DIVISIONAL OFFICE,
K B JACOB ROAD, FORT KOCHI, ERNAKULAM,
PIN - 682001

3 THE DEPUTY COLLECTOR (RR),
FIRST FLOOR, CIVIL STATION, KAKKANAD,
ERNAKULAM, PIN - 682030

4 THE TAHSILDAR,
KANAYANUR TALUK OFFICE, KANAYANNUR,
NEAR SUBHASH PARK, MARINE DRIVE, KOCHI, PIN - 682011

5 THE AGRICULTURAL OFFICER,
THRIKKAKARA MUNICIPALITY KRISHI BHAVAN, SEAPORT – AIRPORT ROAD, KUNNUMPURAM,THRIKKAKARA, KAKKANAD, ERNAKULAM, PIN - 682030

6 THE DIRECTOR,
KERALA STATE REMOTE SENSING AND ENVIRONMENT CENTRE, VIKAS BHAVAN, THIRUVANANTHAPURAM, PIN - 695033

OTHER PRESENT:

Smt.Amminikutty.K, Sr.G.P

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner is the owner of the property having an extent of 40 Ares 21 Sq. Meters comprised in Sy.No.230/3 in Block No.009 of Vazhakkala Village in Ernakulam District. The grievance of the petitioner is that, the property of the petitioner has been wrongfully included in the Data Bank as "Nilam", even though the said land stood reclaimed even prior to the implementation of the Kerala Conservation of Paddy Land and Wetland Act, 2008. Therefore, the petitioner submitted Ext.P3 application in Form 5 on 04.03.2022 The limited prayer sought by the petitioner is to direct the 2nd respondent to pass orders thereon within a time frame.

After hearing the learned counsel for the petitioner, the learned Government Pleader for the respondents, I am inclined to dispose of this writ petition. Accordingly, it is ordered that, the 5th respondent shall forward a report regarding the nature of the property of the petitioner, to the 2nd respondent or the

authorized officer under Section 2(xvA) of the Kerala Conservation of Paddy Land and Wetland Act, 2008 within a period of one month from the date of receipt of a copy of this judgment. Thereupon, the 2nd respondent or the authorized officer as referred to above, shall take up Ext.P3 application and pass appropriate orders thereon in accordance with law, within a period of one month from the date of receipt of such report.

Sd/-

ZIYAD RAHMAN A.A.

JUDGE

rpk

APPENDIX OF WP(C) 11483/2025

PETITIONER EXHIBITS

Exhibit P1	**TRUE COPY OF THE TAX RECEIPT DATED 14.12.2021**
Exhibit P2	**TRUE COPY OF THE RELEVANT PAGE OF DATA BANK**
Exhibit P3	**TRUE COPY OF THE FORM 5 APPLICATION DATED 04.03.2022 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT**
Exhibit P4	**TRUE COPY OF THE RECEIPT DATED 04.03.2022 EVIDENCING THE PAYMENT OF FEE FOR FORM 5 APPLICATION**