IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

THURSDAY, THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947

WP(C) NO. 11982 OF 2023

PETITIONER:

UNNIKRISHNAN,
S/O. VASU, KIZHAKKE HOUSE,
CADATE AVENUE, AMBATTUPALAYAM,
CHITTUR COLLEGE POST, PALAKKAD DISTRICT,
PIN - 678104

BY ADVS.
G.HARIHARAN
PRAVEEN.H.
K.S.SMITHA
V.R.SANJEEV KUMAR
GENTLE C.D.
BIJOY SAM GEORGE

RESPONDENTS:

1 **THE REVENUE DIVISIONAL OFFICER,**
V.H. ROAD, PALAKKAD, PIN - 678001

2 **VILLAGE OFFICER,**
POLPULLY VILLAGE, POLPULLY,
PALAKAKD DISTRICT, PIN - 678552

3 **AGRICULTURAL OFFICER,**
KRISHI BHAVAN, POLPULLY GRAMAPANCHAYATH,
POLPULLY, PALAKKAD DISTRICT, PIN - 678552

4 **KERALA STATE REMOTE SENSING AND ENVIRONMENT**
CENTRE, 1ST FLOOR, NEAR LEGISLATIVE ASSEMBLY,
VIKAS BHAVAN, UNIVERSITY OF KERALA SENATE

HOUSE CAMPUS, PMG, THIRUVANANTHAPURAM,
PIN – 695033, [REPRESENTED BY ITS DIRECTOR]

5 THE DISTRICT COLLECTOR,
CIVIL STATION, PALAKKAD, PIN - 678001

BY ADV.
SRI.T.JAYAN, GP.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner submitted Ext.P3 application in Form 6 before the 1st respondent, which was rejected by the 1st respondent herein, as seen from Ext.P5. A further appeal is filed by the petitioner, and by Ext.P9, the 5th respondent has confirmed the order at Ext.P5.

2. Heard Sri.G.Hariharan, the learned counsel for the petitioner and Sri.T.Jayan, the learned Government Pleader.

3. This Court notices that the prayer made by the petitioner was with reference to his properties, the nature of which required to be changed by him. A perusal of the impugned orders – Exts.P5 and P9, would show that the authorities have passed those orders without obtaining the report of the Kerala State Remote Sensing and Environment Centre (KSREC) – the 4th respondent herein.

4. Insofar as the report of KSREC would conclude the issue, the petitioner was justified in seeking the report of the 4th respondent prior to consideration of the Form 6 application at Ext.P3. Insofar as the report is not so obtained, I am of the opinion that the petitioner's application at Ext.P3 requires to be

reconsidered and fresh orders issued.

Resultantly, this writ petition would stand disposed of as under;

i) Ext.P5 issued by the 1st respondent and Ext.P9 issued by the 5th respondent would stand set aside.

ii) The 1st respondent herein is directed to consider Ext.P3 application after obtaining the report from the 4th respondent herein and pass appropriate orders, as expeditiously as possible, at any rate, within a period of 12 weeks from today.

iii) Needless to say that the petitioner is to satisfy the fee required for obtaining the report as above.

Sd/-

HARISANKAR V. MENON
JUDGE

anm

APPENDIX OF WP(C) 11982/2023

PETITIONER'S EXHIBITS

Exhibit P1	**A TRUE COPY OF THE POSSESSION CERTIFICATE DATED 12.07.2021 ISSUED BY THE VILLAGE OFFICER, POLPULLY VILLAGE IN THE NAME OF THE PETITIONER**
Exhibit P2	**A TRUE COPY OF THE BASIC TAX RECEIPT DATED 18.06.2021 ISSUED BY THE VILLAGE OFFICER, POLPULLY VILLAGE IN THE NAME OF THE PETITIONER**
Exhibit P3	**A TRUE COPY OF THE APPLICATION DATED 23.06.2021 FILED BY THE PETITIONER IN FORM – 6 BEFORE THE 1ST RESPONDENT**
Exhibit P4	**A TRUE COPY OF THE GAZETTED NOTIFICATION DATED 21.10.2019 ISSUED BY THE GOVERNMENT OF KERALA EVIDENCING REMOVAL OF ENTRY OF THE LAND MENTIONED IN EXHIBIT.P1 FROM THE DATA BANK**
Exhibit P5	**A TRUE COPY OF THE ORDER DATED 03.09.2022 OF THE 1ST RESPONDENT REJECTING EXHIBIT.P3 APPLICATION FOR RECLASSIFICATION**
Exhibit P6	**A TRUE EXTRACT OF THE PROCEDURE FOR GETTING SATELLITE DATA INFORMATION AND REPORT FROM 4TH RESPONDENT**
Exhibit P7	**A TRUE COPY OF THE JUDGMENT MADE IN W.P.(C) NO.30727/2022 BY THIS HON'BLE COURT ON 19.10.2022**
Exhibit P8	**A TRUE COPY OF THE JUDGMENT MADE IN W.P.(C) NO.36735/2022 BY THIS HON'BLE COURT ON 22.12.2022**
Exhibit P9	**A TRUE COPY OF THE ORDER DATED 07.03.2023 PASSED BY THE 5TH RESPONDENT**