

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

THURSDAY, THE 24TH DAY OF FEBRUARY 2022 / 5TH PHALGUNA, 1943

WP(C) NO. 6170 OF 2022

PETITIONERS:

- 1 MARTIN VARGHESE
 AGED 59 YEARS
 S/O. M.T VARGHESE, MELETH HOUSE, FLAT NO.703,
 SEIKEN EAST END, PONOTH ROAD, KALOOR P.O., KOCHI-682 017**
- 2 RISMA THOMAS
 AGED 51 YEARS
 W/O. M.T VARGHESE, MELETH HOUSE, FLAT NO.703,
 SEIKEN EAST END, PONOTH ROAD, KALOOR P.O., KOCHI-682 017
 BY ADVS.
 P.K.SOYUZ
 E.V.BABYCHAN**

RESPONDENTS:

- 1 THE REVENUE DIVISIONAL OFFICER/COLLECTOR
 RDO OFFICE, FORT KOCHI.P.O., ERNAKULAM, PIN-682 001**
- 2 THE LOCAL LEVEL MONITORING COMMITTEE,
 CHERANELLOOR GRAMA PANCHAYATH, REPRESENTED BY ITS
 CONVENOR, AGRICULTURAL OFFICER, KRISHI BHAVAN,
 CHERANALLOOR, SOUTH CHITTOOR P.O., KOCHI-682 027**
- 3 THE VILLAGE OFFICER,
 CHERANALLOOR VILLAGE, KANAYANLOOR TALUK, CHITTOOR SOUTH
 P.O., ERNAKULAM, PIN-682 027
 SMT.VINITHA B,SR GP**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JUDGMENT

Dated this the 24th day of February, 2022

The petitioners are the owners in possession of 6.3 Ares of land in Re-Survey No.224/1-6 and the 2nd petitioner is the owner in possession of 3.8 Ares of land in Re-Survey Nos.224/1-6-2 and 224/2-6-2 in Block No.4 of Cheranalloor Village, Kanayannur Taluk of Ernakulam District. It is submitted that the properties of the petitioners are lying as converted land and the same is not suitable for paddy cultivation and has been removed from the data bank. The petitioners confine their relief for an expeditious consideration of Exts.P6 and P7 applications in Form No.6 under Section 27A of the Kerala Conservation of Paddy land and Wetland Act, 2008, seeking permission for use of land for other purposes.

2. Having heard the learned Government Pleader also and without expressing any view on the merits of the matter, this writ petition is disposed of directing the 1st respondent to take up Exts.P6 and P7 applications, consider and pass orders on the same, after considering all

relevant aspects of the matter and after verifying the data bank and obtaining all necessary inputs including the report of the Village Officer. The entire proceedings shall be completed within a period of four months from the date of receipt of a copy of this judgment.

This writ petition is ordered accordingly.

Sd/-

ANU SIVARAMAN
JUDGE

NP

APPENDIX OF WP(C) 6170/2022

PETITIONERS' EXHIBITS:

Exhibit P1	TRUE COPY OF THE LAND TAX RECEIPT OF THE 1ST PETITIONER DATED 01.12.2021
Exhibit P2	TRUE COPY OF THE LAND TAX RECEIPT OF THE 2ND PETITIONER DATED 01.012.2021
Exhibit P3	TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE MEETING DATED 06.11.2020 OF THE 2ND RESPONDENT
Exhibit P4	TRUE COPY OF THE REPORT OF THE AGRICULTURAL OFFICER, CHERANALLOR DATED 16.01.2021
Exhibit P5	TRUE COPY OF THE ORDER NO.DCEKM/5687/2021-L10 DATED 22.11.2021 OF THE DISTRICT COLLECTOR ERNAKULAM
Exhibit P6	TRUE COPY OF THE APPLICATION SENT BY THE 1ST PETITIONER DATED 18.01.2021
Exhibit P6A	TRUE COPY OF THE POSTAL ACKNOWLEDGMENT DATED 23.01.21
Exhibit P6B	TRUE COPY OF THE SKETCH OF THE LAND OWNED BY THE PETITIONERS
Exhibit P6C	TRUE COPY OF THE POSTAL ACKNOWLEDGMENT DATED SHOWING THE RECEIPT OF SKETCH 14.02.22
Exhibit P7	TRUE COPY OF THE APPLICATION SENT BY THE 2ND PETITIONER DATED 18.01.2021
Exhibit P7A	TRUE COPY OF THE POSTAL ACKNOWLEDGMENT DATED 23.01.21
Exhibit P7B	TRUE COPY OF THE SKETCH LAND OWNED BY THE 2ND PETITIONER
Exhibit P7C	TRUE COPY OF THE POSTAL ACKNOWLEDGMENT SHOWING THE RECEIPT OF SKETCH DATED 14.02.2022

RESPONDENTS' EXHIBITS: NIL