

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

WEDNESDAY, THE 31ST DAY OF OCTOBER 2018 / 9TH KARTHIKA, 1940

WP(C) .No. 35507 of 2018

PETITIONER/S:

THAJ MATHEW,
AGED 42 YEARS,
S/O. M.P.MATHEW, RESIDING AT FLAT NO. 103, HERITAGE-
9, A.E.C.S. LAYOUT, DODDANAKUDDY P.O., MARATHAHALLY,
BROOKFIELDS - 560 037, BANGALURU, KARNATAKA.

BY ADVS.
SRI.T.MADHU
SMT.C.R.SARADAMANI
SRI.A.SAIN PAUL
SRI.P.R.SHIBU

RESPONDENT/S:

- 1 THE REVENUE DIVISIONAL OFFICER,
ERNAKULAM AT FORT KOCHI, FORT KOCHI P.O., ERNAKULAM
DISTRICT - 682 001.
- 2 THE VILLAGE OFFICER,
ELAMKULAM VILLAGE,
ERNAKULAM DISTRICT-682020.

R1 & R2 BY SRI.MANURAJ K.J, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31.10.2018, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

According to the petitioner, petitioner is the owner of an extent of 2.67 Ares of property situate in Sy.No.314/1 of Elamkulam Village, Ernakulam district. Case projected by the petitioner is that, though the property is remaining as a garden land and not included in the data bank constituted as per the provisions of the Kerala Conservation of Paddy Land and Wet Land Act, 2008, it is remaining in the Village Records and Basic Tax Register as paddy field. Thereupon, now petitioner has submitted Ext.P2 application before the 1st respondent, seeking permission for utilization of the property for other purposes other than paddy cultivation and agricultural operations. Petitioner seeks direction for early disposal of the same.

2. Having heard learned counsel for the petitioner and learned Government Pleader, there will be a direction to the 1st respondent to consider Ext.P2 application in accordance with law and attain finality at the earliest, and at any rate, within four months from the date of receipt of a copy of this judgment, taking into account, the parameters

and stipulations contained under Section 27A of Act, 2008, as amended by Act, 2018, after verifying the veracity of the submission that the property is not included in the data bank. Petitioner is also directed to produce a copy of the writ petition along with the appendant documents before the statutory authority for appropriate action.

The writ petition is disposed of, accordingly.

**Sd/-
SHAJI P.CHALY**

JUDGE

uu
31.10.2018

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	THE TRUE COPY OF THE SALE DEED NO.3955/1/2017 DATED 13.11.2017 OF ERNAKULAM.
EXHIBIT P2	THE TRUE COPY OF THE APPLICATION DATED 27.9.2018 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

RESPONDENT'S EXHIBITS:NIL

//TRUE COPY//

P.A.TO JUDGE