

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

MONDAY, THE 31<sup>ST</sup> DAY OF MAY 2021 / 10TH JYAISHTA, 1943

WP(C) NO. 10205 OF 2021

PETITIONER:

SASIDHARAN  
AGED 49 YEARS  
S/O.KESAVAN PILLA, SAI SHREYAS, ETHANNUR,  
KODUVAYUR, PALAKKAD DISTRICT.

BY ADV RAJESH SIVARAMANKUTTY

RESPONDENT:

THE DEPUTY COLLECTOR (LR)  
OFFICE OF THE DEPUTY COLLECTOR (L.R.), CIVIL  
STATION, PALAKKAD DISTRICT - 678 001.

SR. G.P. SRI. K.P.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
31.05.2021, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

## **JUDGMENT**

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*Dated this the 31<sup>st</sup> day of May, 2021*

The petitioner holds 1.2720 Hectares of land in Block No.1, Re-survey No.294/1 (old Survey No.475/2C) in Koduvayur-II Village in Palakkad District. The petitioner is a senior citizen. The petitioner wants a Certificate of Purchase in respect of the said land under Section 72K of the Kerala Land Reforms Act, 1963.

2. The petitioner thereupon approached the Deputy Collector (LR) and the authorities initiated *suo motu* proceedings SM No.298/2020 on 10.06.2020. The grievance of the petitioner is that these proceedings are not expeditiously proceeded with and concluded. The petitioner seeks expeditious disposal of the S.M. Case.

3. Heard the learned counsel for the petitioner and the learned Government Pleader representing the respondent.

4. This Court considered a similar case in WP(C) No.9364/2021. This Court noted that in the judgment in ***Narayanan Namboodiri v. The Special Tahsildar (LR) and another*** (WP(C) No.28398/2017) this Court has given certain directions which are in the nature of guidelines to be followed in such cases. The directions are as follows:

“2. On consideration of the facts and circumstances as above, this Court is of the view that the following directions can be issued for expeditious disposal of the cases by the Land Tribunal:

(i) If it is felt that there is delay in obtaining reports through the Revenue Inspectors on account of their shortage, the Land Tribunal is free to get the reports from the Village Officers concerned. It is the discretion of the Land tribunal in what manner such reports should be obtained.

(ii) Utmost importance should be given for expeditious disposal of all the cases filed by the senior citizens. The Land Tribunal shall dispose such cases of senior citizens on seniority basis within six months.

(iii) In respect of all other cases, the Land Tribunal shall follow the seniority of such cases and dispose the same within the maximum outer limit of 18 months unless there is a stay passed by the higher authorities. The Land Tribunal shall not break the seniority of such cases except for any directions being issued by this Court or any higher authority.

(iv) The parties are given liberty to take out notice to the land owners in such a manner in which the Land Tribunal deems fit to do so, including publications.

(v) In respect of the matters which are pending before the Deputy Collector, he shall follow the same procedure as mentioned above.

(vi) In respect of the proceedings in which all the

steps have been completed which are ripe for passing orders as on today, the Land Tribunal shall pass orders within two months and the directions issued in earlier paragraphs would not affect those matters. However, in all other cases, the directions shall be strictly followed.

(vii) The Government order, G.O.(P) No.09/2018/RD, dated 22.02.2018 will form part of the judgment."

(Underline Supplied)

Those guidelines should necessarily apply to the S.M. proceedings in respect of petitioner's land also.

In the circumstances, this writ petition is disposed of directing the respondent to ensure that the S.M. case in respect of the petitioner is finally disposed of as expeditiously as possible, at any rate, within a period of five months from the date of receipt of a copy of this judgment.

Sd/-  
**N. NAGARESH, JUDGE**

aks/31.05.2021

**APPENDIX OF WP(C) 10205/2021**

PETITIONER'S EXHIBITS:

EXHIBIT P1            TRUE COPY OF THE RECEIPT SHOWING THE  
SUO MOTO NUMBER AS SM.NO.298/2020  
ISSUED FROM THE RESPONDENT.