

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

WEDNESDAY, THE 30TH DAY OF JUNE 2021 / 9TH ASHADHA, 1943

WP(C) NO. 12983 OF 2021

PETITIONER:

SUPRIYA
AGED 67 YEARS
W/O RAVIKUMAR, AEIKIRATHU BUNGALOW, PULLIKANAKK PO.,
KAYAMKULAM.

BY ADVS.
ESM.KABEER
C.SHEEBA

RESPONDENTS:

- 1 REVENUE DIVISIONAL OFFICER, CHENGANNUR
KOZHENCHERY ROAD, SH-10, ALAPPUZHA DISTRICT, PIN 689121.
- 2 THE TAHSILDAR, TALUK OFFICE, MAVELIKKARA, ALAPPUZHA
DISTRICT, PIN 610101.
- 3 THE VILLAGE OFFICER, BHARANIKKAVU VILLAGE OFFICE, ALAPPUZHA
DISTRICT - 690503.

BY GOVT. PLEADER SRI.PAUL ABRAHAM VAKKANAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.06.2021,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

SATHISH NINAN, J.

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W. P. (C) No.12983 of 2021

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Dated this the 30th day of June, 2021

J U D G M E N T

All that the petitioner seeks for is an expeditious consideration of Ext.P4 application filed by the petitioner in Form No.9 in terms of Rule 12(13) of the Kerala Conservation of Paddy Land and Wetland Rules.

2. According to the petitioner, the property in respect of which the application has been filed, is a dry land, but has been erroneously included in the revenue records as "Nilam". The petitioner maintains that the property is not included in the Data Bank maintained under the Act. The property had been lying as garden land much prior to the coming into force of the Land Utilization Order, contends the petitioner. It is for the petitioner to establish the aforesaid facts before the authority by producing the relevant materials including the documents as referred to in Rule 12(13) of the Rules.

Without expressing anything on merits, the writ petition is disposed of directing the first respondent to consider Ext.P4 application (Form No.9) and pass orders on obtaining and verifying the relevant materials including the Data Bank, as expeditiously as possible and at any rate within a period of three months from the date of receipt of a copy of this judgment. The petitioner shall be afforded an opportunity of hearing including production of relevant records to substantiate her contentions.

Sd/-
SATHISH NINAN
JUDGE

kns/-

//True Copy//

P.S. to Judge

APPENDIX

PETITIONER'S EXTS:-

- EXT.P1 TRUE COPY OF THE PARTITION DEED NO.2936/95 OF THE
SRO, MAVELIKKARA DATED 28.12.1995.
- EXT.P2 TRUE COPY OF THE TAX RECEIPT DATED 13.01.2021 ISSUED
BY THEB HARANIKKAVU VILLAGE OFFICER.
- EXT.P3 TRUE COPY OF THE RELEVANT EXTRACT OF THE DATA BANK
DATED 18.05.2020.
- EXT.P4 TRUE COPY OF THE APPLICATION SUBMITTED BEFORE THE
1ST RESPONDENT IN FORM NO.9 DATED 12.04.2021.
- EXT.P5 TRUE COPY OF THE ACKNOWLEDGMENT CARD.
- EXT.P6 TRUE COPY OF THE REPLY ISSUED BY THE 2ND RESPONDENT
DATED 18.03.2021.
