**SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com**

**Alavi Vs. the District Collector**

**Alavi Vs. the District Collector**

**SooperKanoon Citation** : sooperkanoon.com/1013452

**Court** : Kerala

**Decided On :** Jan-29-2013

**Judge** : Honourable Mr.Justice K.Surendra Mohan

**Appellant** : Alavi

**Respondent** : The District Collector

**Judgement** :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON TUESDAY, THE 29TH DAY OF JANUARY 2013 9TH MAGHA 193 WP(C).No. 2622 of 2013 (C) ---------- PETITIONER(S): ---------- 1. ALAVI, AGED 5 YEARS, S/O.ABDURAHIMAN,KAITHARA HOUSE, POOKOTTUMPADAM,PAYAMPADAM,NILAMBUR, MALAPPURAM DISTRICT.

2. V.MUHAMMED, S/O.KUNHAYAMMU, VENGASSERY HOUSE, POOKKOTTUMPADAM,PAYAMPADAM, NILAMBUR, MALAPPURAM DISTRICT.

3. SABITH E.K., S/O.NAJEEB, EDAKKANDAN HOUSE, POOKKOTTUMPADAM,PAYAMPADAM,NILAMBUR,MALAPPURAM DISTRICT.

4. SURESH BABU, S/O.RAMAN, KIDANGAZHATH HOUSE, POOKKOTTUMPADAM,PAYAMPADAM,NILAMBUR,MALAPPURAM DISTRICT. BY ADVS.SRI.BABU S. NAIR SMT.SMITHA BABU RESPONDENT(S): ---------- 1. THE DISTRICT COLLECTOR, MALAPPURAM,PIN

505.

2. THE REVENUE DIVISIONAL OFFICER, PERINTHALMANNA, MALAPPURAM DISTRICT,PIN

322.

3. THE VILLAGE OFFICER, AMARAMBALAM VILLAGE, MALAPPURAM DISTRICT, PIN

332.

4. ABDUPPA, KUZHIYAMPALLY HOUSE, POOKOTTUMPADAM PAYAMPADAM, NILAMBUR,MALAPPURAM DISTRICT,PIN

332. R1 - R3 BY SR. GOVERNMENT PLEADER SRI GEORGE MECHERIL THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29-01-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 2622 of 2013 (C) APPENDIX PETITIONER(S) EXHIBITS EXT.P-1 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT DATED 5 12.2012 EXT.P-2 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT DATED 5 12.2012 EXT.P-3 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE 3RD RESPONDENT DATED 5 12.2012 EXT.P-4 TRUE COPY OF THE RECEIPT DATED 5 12.2012 ISSUED BY THE PROFESSIONAL COURIERS AS CHALAN NO.2588912. EXT.P-5 TRUE COPY OF THE RECEIPT DATED 5 12.2012 ISSUED BY THE PROFESSIONAL COURIERS AS CHALAN NO.2588913. RESPONDENTS' EXHIBITS : NIL //TRUE COPY// P.A. TO JUDGE LSN P.R. RAMACHANDRA MENON J.

~~~~~~~~~~~~~~~~~~~~~~~~ W.P.(C) No. 2622 of 2013 ~~~~~~~~~~~~~~~~~~~~~~~~ Dated, this the 29th day of January, 2013 JUDGMENT The petitioners have approached this Court with the following prayers : i. issue a writ of mandamus or any other appropriate writs, orders or directions commanding the respondents 1 to 3 to consider and pass orders on Exts. P1 to P3
~~~~~~~~~~~~~~~~~~~~~~~~

representations submitted b the petitioners, forthwith, without an further delay. ii. issue a writ of mandamus or any other appropriate writs, orders or directions commanding the first respondent to initiate action against the 4th respondent under Section 13 of the Kerala Conservation of Paddy Land and Wetland Act, 2008 iii. Grant such other reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

2. When the matter is taken up for consideration, the learned counsel for the petitioner submits that the grievance as projected in this writ petition has also been highlighted by way of Exts. P1 to P3 before the first respondent. It is also stated that the petitioners will be satisfied, if a direction is W.P.(C) No. 2622 of 2013 :

2. : given to the first respondent to have said representations considered and finalized within a reasonable time.

3. Heard the learned Government Pleader as well.

4. Considering the limited nature of relief sought for, this Court does not find it necessary to go into the merits of the case for the time being. The Writ Petition is disposed of, directing the first respondent to consider and pass appropriate orders on Exts. P1 to P3 in accordance with law; after giving an opportunity of hearing to the petitioners, the 4th respondent and also to other affected parties, if any; at the earliest, at any rate, within six weeks from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of this judgment, along with a copy of the writ petition before the first respondent for further steps. Sd/- P. R. RAMACHANDRA MENON, (JUDGE) kmd

**SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com**