

Sandeep E., vs State of Kerala.

Sandeep E., vs State of Kerala.

SooperKanoon Citation : sooperkanoon.com/1277844

Court : Kerala

Decided On : Feb-21-2025

Judge : Honourable Mr.Justice Ziyad Rahman a.a.

Appeal No. : WP(C)/6870/2025

Appellant : Sandeep E.,

Respondent : State of Kerala.

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.
FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA,
1946 WP(C) NO. 6870 OF 2025 PETITIONERS: SANDEEP E., AGED
44 YEARS S/O.UMAPATHY E, ELAMBASSERY HOUSE,
KANNANCHERY, KALLAI P.O, KOZHIKODE, PIN - 673003 BY ADVS.
T.D.SUSMITH KUMAR C.SIVADAS JAYKAR.K.S. JINEESH LAL M.
VANDANA A. ANJALI R. MENON ALMY ANIL RESPONDENTS: 1
STATE OF KERALA. REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIATE, THIRUVANANTHAPURAM, PIN -
695001 2 REVENUE DIVISIONAL OFFICER, KOZHIKODE
COLLECTORATE, CIVIL STATION, KOZHIKODE, PIN - 3 VILLAGE

OFFICER, OLAVANNA VILLAGE, OLAVANNA P.O, KOZHIKODE, PIN - 673019 SMT.AMMINIKUTTY.K, SR.G.P THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21.02.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ZIYAD RAHMAN A.A., J.

----- Dated this the 21st
day of February, 2025

JUDGMENT

The petitioner is the owner in possession of property having an extent of 4 Ares 42.5 Sq.m. of land comprised in Survey No. 153/47 in Block No.02 of Olavanna Village, Kozhikode Taluk of Kozhikode District. The grievance of the petitioner is that, the property of the petitioner has been wrongfully included in the Data Bank as Nanja, even though the said land stood reclaimed even prior to the implementation of the Kerala Conservation of Paddy Land and Wetland Act, 2008. Therefore, the petitioner submitted Ext.P3 application in Form 5 on 15.07.2024. The limited prayer sought by the petitioner is to direct the 2nd respondent to pass orders thereon within a time frame. After hearing the learned counsel for the petitioner and the learned Government Pleader, I am inclined to dispose of this writ petition. Accordingly, it is ordered that,

the 3rd respondent shall forward a report regarding the nature of the property of the petitioner, to the 2nd respondent or the authorized officer under Section 2(xvA) of the Kerala Conservation of Paddy Land and Wetland Act, 2008 within a period of one month from the date of receipt of a copy of this judgment. Thereupon, the 2nd respondent or the authorized officer as referred to above shall take up Ext.P3 application and pass appropriate orders thereon in accordance with law, within a period of three months from the date of receipt of such report. The writ

petition is disposed of.

Sd/- ZIYAD RAHMAN A.A. JUDGE sjb/21.02.2025 APPENDIX OF WP(C)
6870/2025 PETITIONER EXHIBITS

Exhibit P-1

A TRUE COPY OF THE DEED NO. 540/2024

KL11013706431/2024 DATED 20/05/2024 ISSUED FROM OLAVANNA VILLAGE
OFFICE, KOZHIKODE Exhibit P-3 A TRUE COPY OF THE APPLICATION IN
FORM 5- APPLICATION ALONG WITH THE RECEIPT ISSUED BY THE 2ND
RESPONDENT, DATED 15/07/2024

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