

Safia, vs State of Kerala,

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Court : Kerala

Decided On : Apr-08-2025

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

Appeal No. : WP(C)/8136/2025

Appellant : SAFIA,

Respondent : State of Kerala,

Judgement :

WPC.No.8136/25 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.
TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947
WP(C) NO. 8136 OF 2025 PETITIONER: SAFIA, AGED 56 YEARS,
W/O.ABDUL RASAK MACHINGAL HOUSE, POOKALATHUR,
PULPATTA, MALAPPURAM, PIN - 676 123. BY ADVS. NIRMAL DAS P.
SIDHARTH O. RESPONDENTS:

1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,

TRIVANDRUM, PIN - 695 001. 2 REVENUE DIVISIONAL OFFICER, PERINTHALMANNA, REVENUE DIVISIONAL OFFICE, PERINTHALMANNA, MALAPPURAM DISTRICT, PIN - 679 322. 3 AGRICULTURAL OFFICER, KRISHI BHAVAN, POOKALATHUR, MALAPPURAM, PIN - 676 123. 4 VILLAGE OFFICER, VILLAGE OFFICE, POOKALATHUR, MALAPPURAM DISTRICT, PIN - 673 642.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WPC.No.8136/25 2

JUDGMENT

The petitioner herein is the absolute owner in possession of properties having an extent of 14 Ares 35 Sq.Mtrs

in Survey No.43/7-2 of Pulpatta Village, Eranad Taluk, Malappuram District. Grievance of the petitioner is that, even though the property of the petitioner is not included in the Data Bank prepared for the purpose of Kerala Conservation of Paddy Land and Wetland Act, 2008, the same is described as Nilam in the revenue records. In such circumstances, for classifying the property in the revenue records as dry land, the petitioner submitted Ext.P3 application in Form-6 on 18.02.2025.

2. Limited prayer sought by the petitioner is to direct the 2nd respondent before whom the said application is pending to pass orders thereon within a time frame.

3. 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 4 th respondent Village Officer shall forward a report regarding the nature of the property of the petitioner to the 2nd respondent or the authorized

WPC.No.8136/25 3 officer under Section 2(xvA) of the Kerala Conservation of Paddy Land and Wetland Act, 2008 within a period of two months from the date of receipt of a copy of this judgment. Upon receipt of the said report, appropriate orders on Ext.P3 application shall be passed by the 2nd respondent or the

authorized officer as referred above within a period of five months from the date of receipt of a copy of the said report.

Sd/- ZIYAD RAHMAN A.A. JUDGE DG/8.4.25 WPC.No.8136/25 4 APPENDIX OF WP(C) 8136/2025 PETITIONER EXHIBITS Exhibit P1 TRUE PHOTOSTAT COPY OF THE LAND TAX RECEIPT ISSUED BY THE LAND REVENUE DEPARTMENT DATED 17/02/2025 Exhibit P2 TRUE PHOTOSTAT COPY OF THE POSSESSION CERTIFICATE DATED 17/02/2025 ISSUED BY THE PULPATTA VILLAGE OFFICE Exhibit P3 TRUE PHOTOSTAT COPY OF THE FORM 6 APPLICATION DATED 18/02/2025 SUBMITTED BEFORE THE 2ND RESPONDENT Exhibit P4 TRUE PHOTOSTAT COPY OF THE RECEIPT DATED

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