

Vijayan, vs the District Collector,

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Court : Kerala

Decided On : Jul-31-2024

Judge : Honourable Mr.Justice Mohammed Nias C.P.

Appeal No. : WP(C)/23837/2024

Appellant : Vijayan,

Respondent : The District Collector,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.
WEDNESDAY, THE 31ST DAY OF JULY 2024 / 9TH SRAVANA, 1946
WP(C) NO. 23837 OF 2024 PETITIONER: VIJAYAN, AGED 78 YEARS
S/O. P K GOPALAN, LESLY VILLA, NANDANAM, KARAPARAMBA,
KOYILANDY, KOZHIKODE, PIN - 673010 BY ADVS. FARHANA K.H.
MUHASIN K.M. RESPONDENTS:

1 THE DISTRICT COLLECTOR, FIRST FLOOR, CIVIL STATION,
KAKKANAD, ERNAKULAM, PIN - 682030 2 THE REVENUE
DIVISIONAL OFFICER, FORT KOCHI REVENUE DIVISIONAL OFFICE,
KB JACOB ROAD, FORT KOCHI, ERNAKULAM, PIN - 682001 3 THE

TAHSILDAR, KANAYANNUR TALUK OFFICE, PARK AVE, NEAR
SUBHASH PARK, ERNAKULAM, PIN - 682011 4 THE AGRICULTURAL
OFFICER, VYTTLA KRISHI BHAVAN, 1ST FLOOR, MAHAKAVI
VAILOPPILLI ROAD, ERNAKULAM, PIN - 682019 5 THE VILLAGE
OFFICER, ELAMKULAM VILLAGE OFFICE, GANDHINAGAR MAIN
ROAD, KADAVANTHRA P.O., ERNAKULAM, PIN - 682020 6 THE
DIRECTOR, KERALA STATE REMOTE SENSING AND
ENVIRONMENT CENTRE, VIKAS BHAVAN,
THIRUVANANTHAPURAM, PIN - 695033 SMT.PREETHA K.K., SR.GP,
SRI.VISHNU S.CHEMPAZHANTHIYIL, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31.07.2024, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING: ..2.. MOHAMMED NIAS C.P., J
..... Dated this the
31st day of July, 2024

JUDGMENT

The petitioner, stated to be the owner of the property having an extent of 2.91 Ares of land comprised in Survey No.74/1-3, situated in Kanayanur Taluk, in Elamkulam Village in Ernakulam District, has preferred Ext.P3 application under Form 5 of the Kerala Conservation of Paddy Land and Wetland Act and Rules, 2008, (for short, the Act and the Rules) seeking deletion of the property from the databank.

2. The learned counsel for the petitioner submits

that no orders have been passed on the statutory application so far. Under such circumstances, there will be a direction to the 4th respondent Agricultural Officer to provide sufficient ..3.. inputs required under the Act and the Rules to the 2nd respondent Revenue Divisional Officer or the officer authorised under Section 2(XVA) of the Act, within two months from today. On receipt of the same, the 2nd respondent Revenue Divisional Officer/ authorised officer will consider Ext.P3 application within three months thereafter and pass orders strictly in terms of the Act and the Rules. The writ petition is disposed of as above. Sd/- MOHAMMED

NIAS C.P. JUDGE ACR ..4.. APPENDIX OF WP(C) 23837/2024 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE TAX RECEIPT DATED 22.04.2022 Exhibit P2 TRUE COPY OF THE RELEVANT PAGES OF PUBLISHED BANK OF KOCHI MUNICIPAL CORPORATION DATED 22.02.2021 Exhibit P3 TRUE COPY OF THE FORM 5 APPLICATION DATED 22.03.2024 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT Exhibit P4 TRUE COPY OF THE RECEIPT DATED 25.03.2024 EVIDENCING THE PAYMENT OF FEE FOR FORM 5 APPLICATION

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