

Ratheesan vs the District Collector

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Court : Kerala

Decided On : Jan-31-2023

Judge : Honourable Mrs. Justice Anu Sivaraman

Appeal No. : WP(C)/2857/2023

Appellant : Ratheesan

Respondent : The District Collector

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN
TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944
WP(C) NO. 2857 OF 2023 PETITIONERS: 1 RATHEESAN AGED 55
YEARS S/O. ONAKKAN, KOZHIMADAMKKUNNI HOUSE, ELAMBILAD
P.O., KOZHIKODE, PIN - 673529 2 PRABILA AGED 32 YEARS D/O.
PADMANABAN, MARACHALIL HOUSE, KEEZHUR P.O., KOZHIKODE,
PIN - 673522 BY ADV ARYA UNNIKRISHNAN RESPONDENTS: 1 THE
DISTRICT COLLECTOR CIVIL STATION, WAYANAD ROAD,
ERANHIPPALAM, KOZHIKODE, PIN - 673020 2 THE REVENUE
DIVISIONAL OFFICER VADAKARA REVENUE DIVISIONAL OFFICE,
OLD BUS STAND, OPP. GOVT. REST HOUSE, PUTHIYAPPU,

VADAKARA, KOZHIKODE, PIN - 673101 3 THE TAHSILDAR
KOYILANDI TALUK OFFICE, MINI CIVIL STATION, KOYILANDI,
KOZHIKODE, PIN - 673305 4 THE VILLAGE OFFICER PAYYOLI
VILLAGE OFFICE, KEEZHUR, KOZHIKODE, PIN - 673522 SRI.JOSHY
THANNIKKAMATTAM -GP THIS WRIT PETITION (CIVIL) HAVING
COME UP FOR ADMISSION ON 31.01.2023, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 2857 OF 2023
2

JUDGMENT

Dated this the 31st day of January, 2023 The petitioners are the owner in possession of 4.47 Ares of land in Survey No.136/8 of Payyoli Village in Koyilandi Taluk of Kozhikode District. It is submitted that the property of the petitioners is lying as garden land and the same is not suitable for paddy cultivation and is not included in the data bank. The petitioners confines their relief for an expeditious consideration of Ext.P3 application in Form No.6 under Section 27A of the Kerala Conservation of Paddy land and Wetland Act, 2008, seeking permission for use of land for other purposes.

2. Having heard the learned Government Pleader also and

without expressing any view on the merits of the matter, this writ petition is disposed of directing the 2nd respondent to take up Ext.P3 application, consider and pass orders on the same, after considering all relevant aspects of the matter and after verifying the data bank and obtaining all necessary inputs including the report of the Village WP(C) NO. 2857 OF 2023 3 Officer. The entire proceedings shall be completed within a period of three months from the date of receipt of a copy of this judgment. This writ petition is ordered accordingly. Sd/- ANU SIVARAMAN JUDGE ska WP(C) NO. 2857 OF 2023 4 APPENDIX OF WP(C) 2857/2023 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE TAX RECEIPT DATED 12-01-2023 Exhibit P2 TRUE COPY OF THE ORDER DATED 14.11.2022 ISSUED BY THE REVENUE DIVISIONAL OFFICER, VADAKARA Exhibit P3 TRUE COPY OF THE APPLICATION IN FORM 6 DATED 14.12.2022 Exhibit P4 TRUE COPY OF THE RECEIPT EVIDENCING THE PAYMENT OF

STATUTORY FEE DATED 20.12.2022

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