

Riyas vs the District Collector

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Court : Kerala

Decided On : Dec-22-2023

Judge : Honourable Mr.Justice Viju Abraham

Appeal No. : WP(C)/43635/2023

Appellant : RIYAS

Respondent : The District Collector

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM
FRIDAY, THE 22ND DAY OF DECEMBER 2023 / 1ST POUSHA, 1945
WP(C) NO. 43635 OF 2023 PETITIONER: RIYAS AGED 43 YEARS S/O
YOUSAF, MATTAKKATTIL VIRIPPIL HOUSE, HMT COLONY,
VADACODE, ERNAKULAM, PIN - 683503 BY ADV V.A.VINOD
RESPONDENTS: 1 THE DISTRICT COLLECTOR CIVIL STATION,
KAKKANAD, ERNAKULAM, PIN - 682021 2 THE REVENUE
DIVISIONAL OFFICER OFFICE OF THE REVENUE DIVISIONAL
OFFICER, K.B. JACOB ROAD, FORT KOCHI, PIN - 682001 3 THE
TAHASILDAR KANAYANNUR TALUK OFFICE, KANAYANNUR, PARK
AVE, ERNAKULAM, PIN - 682011 4 THE VILLAGE OFFICER,

THRIKKAKKARA NORTH VILLAGE OFFICE, PADIVATTOM, ERNAKULAM, PIN - 682024 5 THE AGRICULTURAL OFFICER KALAMASSERY KRISHI BHAVAN, KALAMASSERY, VADAKODE P.O, ERNAKULAM, PIN - 683503 BY ADV.SRI. RIYAL DEVASSY, GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22.12.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO.43635/2023 2

JUDGMENT

Dated this the 22nd day of December, 2023 Petitioner has approached this Court seeking a direction to the second respondent to consider and pass orders on Ext.P3, Form-5 application.

2. Petitioner is the owner in possession of 12.50 Ares

of land comprised in Sy.No.301/6 and 28 Ares of property comprised in Sy.No.307/8 of Thrikkakkara North Village, Kanayannur Taluk and Ernakulam District. Petitioner submits that though the property has been included in the data bank, in the remark column it is stated as 'converted land'.

3. Heard the learned Government Pleader also.

4. After hearing both sides, I am inclined to dispose

of the Writ Petition with a direction to the second respondent to consider and pass orders on Ext.P3 Form-5 application, in accordance with law, within a period of five months from the date of receipt of a copy of this judgment. The second respondent while taking a decision on Form-5 application shall also take into consideration the remark column wherein WP(C) NO.43635/2023 3 the property has been shown as 'converted land' in the data bank. With the abovesaid direction, the Writ Petition is disposed of. Sd/- VIJU ABRAHAM JUDGE csl WP(C) NO.43635/2023 4 APPENDIX OF WP(C) 43635/2023 PETITIONER'S EXHIBITS Exhibit P1 TRUE COPY OF THE TAX RECEIPT DATED 08.11.2023 Exhibit P2 TRUE COPY OF THE RELEVANT PAGE OF THE DRAFT DATA BANK ISSUED FROM THE OFFICE OF THE 5TH RESPONDENT Exhibit P3 TRUE COPY OF THE FORM 5

APPLICATION FILED ONLINE BEFORE THE 2ND RESPONDENT DATED
21.11.2023

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