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Nafeesa vs Land Tribunal (Devaswom)

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Court : Kerala

Decided On : Oct-30-2020

Judge : Honourable Mr. Justice Sathish Ninan

Appeal No. : WP(C)/23153/2020

Appellant : Nafeesa

Respondent : Land Tribunal (Devaswom)

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SATHISH NINAN FRIDAY, THE 30TH DAY OF OCTOBER 2020 / 8TH KARTHIKA, PETITIONER/S: NAFEESA AGED 62 YEARS W/O. KOYA KURIKKAL (LATE), MANCHERY HOUSE, THARIPPADI, VETTIKKATTIRI NORTH P.O, MALAPPURAM DISTRICT. BY ADV. SRI.U.K.DEVIDAS RESPONDENT/S: 1 LAND TRIBUNAL (DEVASWOM) COLLECTORATE , UP HILL P.O, MALAPPURAM-676 2 DEPUTY COLLECTOR, (LAND REFORMS) LAND TRIBUNAL,COLLECTORATE, UP HILL P.O, MALAPPURAM DISTRICT-676 505 BY SR.GOVERNMENT PLEADER SRI.BIMAL K NATH THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.10.2020, THE COURT ON THE SAME DAY

DELIVERED THE FOLLOWING:

Sathish Ninan, J.

========== W.P.(C) No.23153 of 2020 ========== Dated this the 30th day of October, 2020

JUDGMENT

The petitioner seeks for an expeditious disposal of SM 390/2020 pending before the Deputy Collector

(LR) Land Tribunal, Malappuram.

2. In WP(C) No. 28398/2017 and connected cases

> this court passed a judgment dated 14.03.2018 issuing directions regarding expeditious disposal of cases by the Land Tribunal. The directions read thus: (i) If it is felt that there is delay in obtaining reports through the Revenue Inspectors on account of their shortage, the Land Tribunal is free to get the reports from the Village Officers concerned. It is the discretion of the Land Tribunal in what manner such reports should be obtained.

(ii) Utmost importance should be given

for expeditious disposal of all the cases filed by the senior citizens. The land Tribunal shall dispose such cases of senior citizens on seniority basis within six months.

(iii) In respect of all other cases, the

Land Tribunal shall follow the seniority of such cases and dispose the same within the maximum outer limit of 18 months unless there is a stay passed by the higher authorities. The Land Tribunal shall not break the seniority of such cases except

for any directions being issued by this Court or any higher authority.

(iv) The parties are given liberty to take out notice to the land owners in such a manner in which the Land Tribunal deems fit to do so, including publications.

(v) In respect of the matters which are pending before the Deputy Collector, he shall follow the same procedure as mentioned above.

(vi) In respect of the proceedings in

which all the steps have been completed which are ripe for passing orders as on today, the Land Tribunal shall pass orders within two months and the directions issued in earlier paragraphs would not affect those matters. However, in all other cases, the directions shall be strictly followed.

(vii) The Government order,

G.O(P).No.09/2018/RD, dated 22/2/2018 will form part of this judgment. The respondents shall dispose of the SM proceedings strictly adhering to the directions referred to above. Sd/- Sathish Ninan, Judge vdv APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE COPY OF THE CERTIFICATE DATED 15.10.2020 IN SM. NO. 390/2020

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