

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

THURSDAY, THE 2ND DAY OF MARCH 2023 / 11TH PHALGUNA, 1944

WP(C) NO. 7135 OF 2023

PETITIONER:

SATHEESHKUMAR S.V.

AGED 44 YEARS

S/O.VASUDEVAN `NALUKOOTAM' CHATHURTHIAKIRI P.O. ALAPPUZHA
DISTRICT., PIN - 688502

BY ADVS.

M.SASINDRAN

P.K.SUBHASH

RESPONDENTS:

- 1 THE VILLAGE OFFICER, KAINAKARI VILLAGE
KAINAKARI SOUTH ALAPPUZHA DISTRICT, PIN - 688501
- 2 THE REVENUE DIVISIONAL OFFICER / SUB COLLECTOR ALAPPUZHA
ALAPPUZHA DISTRICT, PIN - 688001
- 3 THE DISTRICT COLLECTOR, ALAPPUZHA
ALAPPUZHA DISTRICT., PIN - 688001
- 4 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT REVENUE DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001

SRI.JOSHY THANNICKAMATTAM-GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02.03.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 2nd day of March, 2023

This writ petition is filed seeking directions to the respondents to consider and pass orders on Ext.P5 request made by the petitioner.

2. The learned counsel for the petitioner submits that the petitioner was only constructing an outer bund around a pond in his property and that the said activity is clearly exempted in terms of the provisions of the Kerala Conservation of Paddy Land and Wet Land Act, 2008. It is submitted that while so, the 1st respondent has issued Ext.P3 stop memo, the petitioner had submitted Ext.P5 reply to the same and seeks a consideration thereon.

Having considered the contentions advanced, there will be a direction to the 2nd respondent to take up Ext.P5 reply submitted by the petitioner and to consider and pass orders on the same, with notice to the petitioner as well as the complainants and pass appropriate orders after considering the contentions

advanced, within a period of three weeks from the date of receipt of a copy of this judgment.

This writ petition is ordered accordingly.

Sd/-
ANU SIVARAMAN
JUDGE

ska

APPENDIX OF WP(C) 7135/2023

PETITIONER EXHIBITS

Exhibit P1	A TRUE COPY OF THE SALE DEED DATED 17-05-2022 EXECUTED IN FAVOUR OF THE PETITIONER
Exhibit P2	TRUE COPY OF THE TAX RECEIPT EVIDENCING PAYMENT OF BASIC TAX, DATED 27-05-2022
Exhibit P3	A TRUE COPY OF THE ORDER NO.01/2023 (SR) DATED 17-01-2023 OF THE VILLAGE OFFICER, KAINAKARI.
Exhibit P4	A TRUE COPY OF THE LETTER NO.KK/23 DATED 18- 01-2023 ISSUED BY THE `PADASEKHARASAMITHI', 'KADUKAYYAR PADASEKHARAM'
Exhibit P5	A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE REVENUE DIVISIONAL OFFICER, ALAPPUZHA, DATED 21-01-2023