

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

MONDAY, THE 27<sup>TH</sup> DAY OF SEPTEMBER 2021 / 5TH ASWINA, 1943

WP(C) NO. 20227 OF 2021

**PETITIONER:**

SYAMALA R.  
AGED 47 YEARS  
W/O. S. GOPINATHAN, KARTHIKA, 21/495(1), AISWARYA NAGAR,  
THONDIKULAM, NURANI, PALAKKAD DISTRICT, PIN - 678004.

BY ADVS.  
JACOB SEBASTIAN  
K.V.WINSTON  
ANU JACOB

**RESPONDENTS:**

- 1 THE REVENUE DIVISIONAL OFFICER PALAKKAD  
PALAKKAD, OFFICE OF THE REVENUE DIVISIONAL OFFICER  
PALAKKAD, PALAKKAD DISTRICT, PIN - 678001.
- 2 THE VILLAGE OFFICER,  
PALAKKAD - I, VILLAGE, PALAKKAD, PALAKKAD DISTRICT - PIN  
- 678001,
- 3 THE AGRICULTURAL OFFICER  
FOR THE PALAKKAD MUNICIPALITY, PALAKKAD, PALAKKAD  
DISTRICT, PIN - 678001.
- 4 THE LOCAL LEVEL MONITORING COMMITTEE FOR THE PALAKKAD  
MUNICIPALITY,  
UNDER THE CONSERVATION OF PADDY LAND AND WETLAND ACT,  
2008, REPRESENTED BY ITS CONVENER, THE AGRICULTURAL  
OFFICER, PALAKKAD MUNICIPALITY, PALAKKAD, PALAKKAD  
DISTRICT, PIN - 678001.

**OTHER PRESENT:**

APPU.P.S-GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
27.09.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

The petitioner is the owner in possession of 0.025 hectares of land in Re-survey Nos.101 & 102 in Block No.185 of Palakkad-I Village, Palakkad Taluk in Palakkad District. The petitioner contends that the property is garden land and has been erroneously included in the data bank. The petitioner confines her relief for an expeditious consideration of Exts.P3 and P4 applications in Form Nos.5 and 6 under the Kerala Conservation of Paddy land and Wetland Act, 2008, seeking deletion of entry relating to the subject property from the data bank and seeking permission for use of the 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 1<sup>st</sup> respondent to initially consider Ext.P3 application (Form No.5), after obtaining and verifying the relevant materials and reports from the Agricultural Officer and to pass appropriate orders thereon within a period of two months from the date of receipt of a copy of this judgment. If

orders are passed excluding the property from the data bank, then, Ext.P4 application (Form No.6) shall also be taken up for consideration and appropriate orders shall be passed thereon within a period of two months thereafter. The RDO shall consider all relevant matters and shall obtain reports from the concerned Village Officer as well.

This writ petition is ordered accordingly.

Sd/-

**ANU SIVARAMAN**  
**JUDGE**

Bng/27.09.2021

**APPENDIX OF WP(C) 20227/2021**

PETITIONER EXHIBITS

- Exhibit P1                      A TRUE COPY OF THE POSSESSION CERTIFICATE UNDER 45223911 DATED 12.01.2020 ISSUED BY THE SECOND RESPONDENT.
- Exhibit P2                      A TRUE COPY OF THE POSSESSION CERTIFICATE NUMBER 45223922 DATED 22.01.2020 ISSUED BY THE SECOND RESPONDENT.
- Exhibit P3                      A TRUE COPY OF THE APPLICATION (IN FORM NUMBER 5) DATED 05.07.2021 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT UNDER SECTION 5(4) (I) OF THE CONSERVATION OF PADDY LAND AND WET LAND ACT, 2008 ALONG WITH RECEIPT DATED 07.07.2021.
- Exhibit P4                      A TRUE COPY OF THE APPLICATION (IN FORM NUMBER 6) DATED 05.07.2021 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT, U/S. 27 A OF THE CONSERVATION OF PADDY LAND AND WET LAND ACT. 2008.