



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 13TH DAY OF FEBRUARY 2025 / 24TH MAGHA, 1946

WP(C) NO. 3047 OF 2025

PETITIONER/S:

JOSEY ALFRED,
AGED 81 YEARS
S/O. ARAKKAL PETER,
ARAKKAL HOUSE, S. N. ROAD,
PALLURUTHY P.O.,
KOCHI, PIN - 682006

BY ADVS.
SOBHAN GEORGE
BEETHA VELAYUDHAN

RESPONDENT/S:

- 1 THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI, FORT KOCHI P.O.,
ERNAKULAM DISTRICT,
PIN - 682001
- 2 THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT,
CIVIL STATION, KAKKANAD P.O.,
ERNAKULAM DISTRICT,
PIN - 682030
- 3 THE VILLAGE OFFICER,
EDAKOCHI VILLAGE, 21/1307-B,
PALLURUTHY, KOCHI TALUK, KOCHI,
PIN - 682006



4 AGRICULTURAL OFFICER
ADDL CORPORATION ZONAL BUILDING, VYTILA, KOCHI,
 ERNAKULAM
 (ADDITIONAL 4TH RESPONDENT IS IMPEADED AS PER
 ORDER DATED 13.02.2025 IN I.A NO 1 OF 2025)

OTHER PRESENT:

Smt.Ammunikutty.K, Sr.G.P

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 13.02.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



JUDGMENT

The petitioner is the owner of the property having an extent of 2 Ares 2 Sq. Meters comprised in Sy.Nos.334/2-17 and 334/2-2 in Block No.001 of Edakochi Village in Ernakulam District. The grievance of the petitioner is that, the property of the petitioner has been wrongfully included in the Data Bank as "Nilam", even though the said land stood reclaimed even prior to the implementation of the Kerala Conservation of Paddy Land and Wetland Act, 2008. Therefore, the petitioner submitted Ext.P5 application in Form 5 on 12.11.2024. The limited prayer sought by the petitioner is to direct the 1st respondent to pass orders thereon within a time frame.

After hearing the learned counsel for the petitioner, the learned Government Pleader for the respondents, I am inclined to dispose of this writ petition. Accordingly, it is ordered that, the additional 4th respondent shall forward a report regarding the nature of the property of the petitioner, to the 1st respondent



or the authorized officer under Section 2(xvA) of the Kerala Conservation of Paddy Land and Wetland Act, 2008 within a period of two months from the date of receipt of a copy of this judgment. Thereupon, the 1st respondent or the authorized officer as referred to above, shall take up Ext.P5 application and pass appropriate orders thereon in accordance with law, within a period of four months from the date of receipt of such report.

Sd/-

ZIYAD RAHMAN A.A.
JUDGE

rpk



APPENDIX OF WP(C) 3047/2025

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF SALE DEED NO. 2176/1984 OF KOCHI SRO
- Exhibit P2 A TRUE PHOTO COPY OF THE BASIC TAX RECEIPT DATED 21.10.2024 ISSUED BY EDAKOCHI VILLAGE OFFICER IN FAVOUR OF THE PETITIONER WITH RESPECT TO PROPERTY COMPRISED IN SURVEY NO. 334/2-17 OF EDAKOCHI VILLAGE HAVING AN EXTENT OF 1.21 ARES
- Exhibit P3 A TRUE PHOTO COPY OF THE BASIC TAX RECEIPT DATED 8.11.2024 ISSUED BY EDAKOCHI VILLAGE OFFICER IN FAVOUR OF THE PETITIONER WITH RESPECT TO PROPERTY COMPRISED IN SURVEY NO. 334/2-2 OF EDAKOCHI VILLAGE HAVING AN EXTENT OF 0.81 ARES
- Exhibit P4 A TRUE PHOTO COPY OF THE POSSESSION CERTIFICATE NO. 89542824 DATED 14.11.2024 ISSUED FROM VILLAGE OFFICE, EDAKOCHI WITH RESPECT TO THE 0.81 ARES IN SURVEY NO. 334/2-2 AND 1.21 ARES IN SURVEY NO. 334/2-17 OF PETITIONER
- Exhibit P5 A TRUE PHOTO COPY OF THE APPLICATION NO. 284/2024/255165 DATED 12.11.2024 BEFORE THE FIRST RESPONDENT IN FORM 5 OF THE KERALA CONSERVATION OF PADDY LAND AND WETLAND RULES SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT
- Exhibit P6 A TRUE PHOTO COPY OF THE DATA BANK

W.P.C No. 3047 of 2025



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