



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 30255 OF 2023

PETITIONER:

SHYLAKUMARI,
AGED 56 YEARS, D/O.KUNJU PILLAI,
KRISHNA BHAVAN, ATHANIKARA, CHENGAMANADU,
ERNAKULAM, PIN - 683585

BY ADVS.
SHAKTHI PRAKASH
MUHASIN K.M.
FARHANA K.H.
AMJATHA D.A.

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR,
FIRST FLOOR, CIVIL STATION, KAKKANAD,
ERNAKULAM, PIN - 682030
- 2 THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI REVENUE DIVISIONAL OFFICE,
K B JACOB ROAD, FORT KOCHI,
ERNAKULAM, PIN - 682001
- 3 THE TAHSILDAR,
ALUVA TALUK OFFICE, GROUND FLOOR,
MINI CIVIL STATION, PERIYAR NAGAR,
ALUVA, PIN - 683101



- 4 THE VILLAGE OFFICER,
NEDUMBASSERY VILLAGE OFFICE, MEKKAD,
NEDUMBASSERY, ERNAKULAM, PIN - 683589
 - 5 THE AGRICULTURAL OFFICER,
NEDUMBASSERY KRISHI BHAVAN, MEKKAD P.O.,
ERNAKULAM, PIN - 683589
 - 6 THE DIRECTOR,
KERALA STATE REMOTE SENSING AND
ENVIRONMENT CENTRE, VIKAS BHAVAN,
THIRUVANANTHAPURAM, PIN - 695033
- BY ADV.
SRI.T.JAYAN, GP.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



JUDGMENT

The petitioner has filed the captioned writ petition seeking to challenge Ext.P4 order issued by the 2nd respondent by which the application seeking removal of the property from the databank came to be rejected.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader.

3. This court notices that it is without obtaining the report from the Kerala State Remote Sensing and Environment Centre (KSREC) that the impugned order is issued. Insofar as the petitioner had a contention that the property was converted much prior to the enactment of the Kerala Conservation of Paddyland and Wet Land Act, 2008, the 2nd respondent ought to have obtained the report of the KSREC. Insofar as it is not done, the impugned order requires to be set aside.

Therefore, this writ petition would stand disposed of, setting aside Ext.P4 issued by the 2nd respondent. The 2nd respondent is directed to obtain a report from the KSREC and pass fresh orders, as expeditiously as possible, at any rate,



within a period of 12 weeks from today, after hearing the petitioner also.

Needless to say that the necessary fee for obtaining the report from the KSREC to be satisfied by the petitioner.

Sd/-

HARISANKAR V. MENON
JUDGE

anm

APPENDIX OF WP(C) 30255/2023

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF THE TAX RECEIPT DATED 05.06.2023
Exhibit P2	TRUE COPY OF THE FORM 5 APPLICATION SUBMITTED BY THE PETITIONER DATED 07.01.2021
Exhibit P3	TRUE COPY OF THE REPORT OF THE 5TH RESPONDENT, AGRICULTURE OFFICER DATED NIL
Exhibit P4	TRUE COPY OF THE ORDER DATED 04.02.2023 ISSUED BY THE 2ND RESPONDENT
Exhibit P5	COPY OF THE PHOTOGRAPH OF THE PROPERTY OF THE PETITIONER