

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

Wednesday, the 24th day of March 2021/3rd Chaithra, 1943IA/2/2020 IN WP(C)/23900/2016 (J)PETITIONERS/PETITIONERS

1. P.P.NARAYANAN,
AGED 60, S/O.PODIYAN, PATHIYATH HOUSE, PARIYARAM.P.O., ELANTHUR,
PATHANAMTHITTA.
2. AJITHA.A.
AGED 34, D/O.ACHUTHAN, PONTANKAKUZHI, MURUPPEL, MANGARAM,
KONNY.P.O., PATHANAMTHITTA.
3. RATHI
AGED 51, D/O.KARUNAKARAN, KADAMBATT HOUSE, ELIMULLUPLACKAL
P.O., PATHANAMTHITTA.
4. SATHEESH
AGED 39, S/O.ADICHAN, PLAVINAKUZHIYIL HOUSE,
ELIMULLUPLACKAL.P.O., PATHANAMTHITTA.
5. ROHINI
AGED 53, D/O.AYYAN, KARAMEL HOUSE, MUDIYOORKONAM,
PANDALAM.P.O., PATHANAMTHITTA.
6. RAGHAVAN
AGED 67, S/O.SANKARAN, RADHA BHAVAN, MELUDU.P.O., ADOOR,
PATHANAMTHITTA.

RESPONDENTS/RESPONDENTS

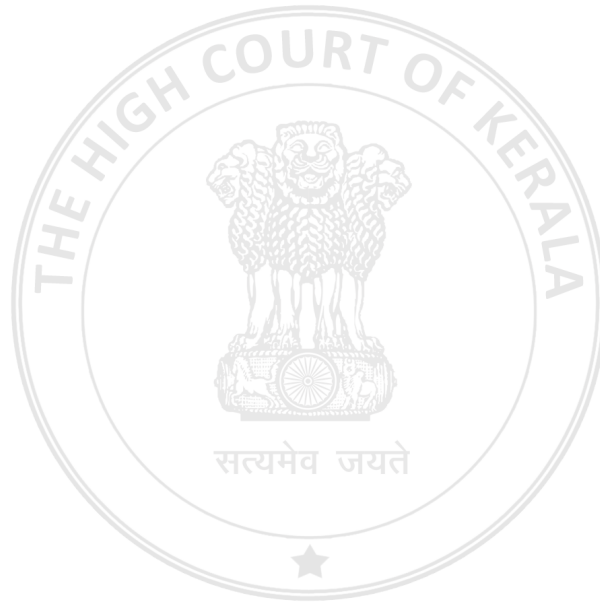
1. STATE OF KERALA TO BE REPRESENTED BY SECRETARY,
REVENUE DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM, PIN - 695 001.
2. DISTRICT COLLECTOR
PATHANAMTHITTA, PIN - 689 645.
3. REVENUE DIVISIONAL OFFICER
PATHANAMTHITTA, PIN - 689 645.

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to seek direction on the following:(i) Report the present status of revenue recovery proceedings towards mannam Sugar Mill Corporation Ltd. at Panthalam Village in Pathanamthitta District.(ii) Report present availability of distributable land covered under Exts. P10 to P-12 to those eligible under Ext.P-1-Government order.(iii) Report the

result of survey of surplus land near Punalur Paper Mill reported under Ext.P13.

This application coming on for orders upon perusing the application and the affidavit filed in support thereof, and upon hearing the arguments of M/S. K.S.MADHUSOODANAN, S.JESSIN, K.S.MIZVER, M.M.VINOD KUMAR & P.K.RAKESH KUMAR, Advocates for the petitioners in IA/WP(C) and of SRI. RANJITH THAMPAN, ADDITIONAL ADVOCATE GENERAL for respondent 1 in IA/WP(C), the court passed the following:-

For information purpose only



RAJA VIJAYARAGHAVAN V, J

I.A. No.2 of 2020
in
W.P.(C).No.23900 of 2016

Dated this the 24th day of March, 2021

For information purpose only
ORDER

I have heard Sri. K.S. Madhusoodanan, the learned counsel appearing for the petitioners and the learned Government Pleader.

2. By order dated 2.1.2020, the Government had decided to assign surplus land to the members of the Scheduled Castes, Scheduled Tribes and other marginalized communities and about 831 Acres of land in various districts in the State were earmarked for the purpose.

3. True to their word, some of the petitioners were sanctioned some plots. However, on inspection, the plots were found to be situated in a rocky and uncultivable land.

4. By order dated 3.9.2018, this Court after taking note of the facts and circumstances had directed the 1st respondent to place an affidavit pointing out whether there is alternate land available for allotment to the petitioners. It is contended that a statement was filed on 11.10.2018 pointing out that the Government is facing serious difficulties in identifying the land due to paucity of land in the State of Kerala.

5. The petitioners have produced Exts.P10 to P12 to substantiate that

surplus lands are lying in various villages for distribution to the deserving persons.

6. To substantiate their contention, they have filed IA No.2 of 2020 seeking to direct the respondent to furnish a report detailing the following facts:

- i. Report the present status of revenue recovery proceedings towards Mannam Sugar Mill Corporation Ltd. at Pathalam Village in Pathanamthitta District;
- ii. Report present availability of distributable land covered under Exts.P10 to P12 to those eligible under Ext.P1 Government Order;
- iii. Report the result of survey of surplus land near Punalur Paper Mill reported under Ext.P-13.

Having considered the facts and circumstances, I am of the view that the application is to be allowed. The learned Government Pleader shall file a statement before this Court disclosing the details of the information sought as above.

Tag this matter along with W.P.(C) No.1126 of 2013 and post after a month.

Sd/-
RAJA VIJAYARAGHAVAN V
JUDGE

NS

EXT.P1: - PHOTOCOPY OF THE ORDER BEARING G.O.(MS).NO.02/2010/REVENUE DATED 2-1-2010.

EXHIBIT P10 - PHOTOCOPY OF THE REPLY BEARING NO. B3.10977/2016 UNDER RIGHT TO INFORMATION ACT GIVEN BY DEPUTY TAHSILDAR TALUK OFFICE, PUNALUR DATED 03.12.2016

EXHIBIT P11 - PHOTOCOPY OF THE REPLY BEARING NO. 6/2016 DATED 22.11.2016 ISSUED BY VILLAGE OFFICER, KALLARA UNDER RIGHT TO INFORMATION ACT.

EXHIBIT P12 - PHOTOCOPY OF THE REPLY BEARING NO. B4-7863/19 DATED 09.08.2019 UNDER RIGHT TO INFORMATION ACT BY DEPUTY TAHSILDAR, TALUK OFFICE, KOZHENCHERRY

EXHIBIT P13 - PHOTOCOPY OF THE REPORT PUBLISHED IN MATHRUBHUMI DAILY DATED 03.09.2020

