



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. 36978 OF 2023

PETITIONER:

GEORGE V. PAUL,
AGED 63 YEARS, S/O. PAUL,
VALYAMATTATHIL HOUSE, AYARKUNNAM P.O.,
KOTTAYAM, PIN - 686564

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

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR,
COLLECTORATE, KOTTAYAM - KUMILY ROAD,
KOTTAYAM, PIN - 686002
- 2 THE REVENUE DIVISIONAL OFFICER,
KOTTAYAM REVENUE DIVISIONAL OFFICE,
2ND FLOOR, MINI CIVIL STATION, UNION CLUB ROAD,
PUTHENANGADY, KOTTAYAM, PIN - 686001
- 3 THE TAHSILDAR,
KOTTAYAM TALUK OFFICE, 1ST FLOOR,
MINI CIVIL STATION, UNION CLUB ROAD,
PUTHENANGADY, KOTTAYAM, PIN - 686001
- 4 THE VILLAGE OFFICER,
AYARKUNNAM VILLAGE OFFICE, KIDANGOOR-MANARCAD
ROAD, AYARKUNNAM, KOTTAYAM, PIN - 686564



5 THE AGRICULTURE OFFICER,
AYARKUNNAM KRISHI BHAVAN, AYARKUNNAM,
KOTTAYAM, PIN - 686637

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.P3 order issued by the 2nd respondent by which the application seeking removal of the property from data bank 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.P3 issued by the 2nd respondent. The 2nd respondent is directed to take note of Ext.P4 report of 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.

Sd/-
HARISANKAR V. MENON
JUDGE

anm

APPENDIX OF WP(C) 36978/2023

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF THE TAX RECEIPT DATED 23.05.2022
Exhibit P2	TRUE COPY OF THE FORM 5 APPLICATION DATED 23.05.2022
Exhibit P3	TRUE COPY OF THE ORDER DATED 05.04.2023 ISSUED BY THE 2ND RESPONDENT
Exhibit P4	TRUE COPY OF THE REPORT ISSUED FROM THE OFFICE OF THE DIRECTOR KSREC DATED 21.12.2019
Exhibit P5	COPIES OF THE PHOTOGRAPHS OF THE PETITIONER'S PROPERTY