
(2021) 06 KL CK 0132
In the High Court Of Kerala
Case No : Writ Petition (C) No. 10559 Of 2021

Afsath

APPELLANT

Vs

District Collector Civil Station, Kakkanad, Ernakulam

RESPONDENT

Date of Decision : 10-06-2021

Acts Referred:

Citation : (2021) 06 KL CK 0132

Hon'ble Judges : C. S. Dias, J

Bench : Single Bench

Advocate : N.Krishna Raja Mauli, Paul Abraham Vakkanal

Final Decision : Disposed Of

Judgement

C.S.Dias, J

1. The petitioner is the owner in possession of 2.03 Ares of land comprised in Sy Nos.533/8-3-4, 578/1-5-4 and 578/1-3-3-2 in Block No.8 of

Vazhakkala Village, Kanayannur Taluk, Ernakulam District covered by Ext.P1.

2. The petitioner has averred in the writ petition that the above-said property is lying as 'garden land' and is not suitable for paddy cultivation.

Nevertheless, the property is described as 'Nilam' in the revenue records. The petitioner has submitted Ext.P3 application before the 2nd respondent

for removal of the entry from the 'Data Bank'. The petitioner has also preferred Ext.P4 application before the 2nd respondent for changing the

category of the above land. Nevertheless, the respondents have not taken any action on Exts.P3 and P4 applications. Hence the writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Pleader appearing for the respondents.

4. The learned Government Pleader, on instructions, submitted that it is only

after a decision is taken on Ext.P3 application can Ext.P4 application be considered by the 2nd respondent. Hence a direction may only be issued to the 2nd respondent to consider Ext.P3 application within a time frame.

5. Taking note of the fact that the petitioner has preferred Ext.P3 application before the 2nd respondent as early as on 26.1.2021, I direct the 2nd respondent to consider and dispose of Ext.P3 application, in accordance with law, as expeditiously as possible and at any rate within a period of three months from the date of production of a copy of this judgment. It is made clear that the petitioner's right to pursue Ext.P4 application is left open.

The writ petition is ordered accordingly.