

(2024) 06 KL CK 0097

In the High Court Of Kerala

Case No : Writ Petition (C) No.26293 Of 2022

Chovvakaran Karunakaran

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 18-06-2024

Acts Referred:

Kerala Land Reforms Act, 1963 — Section 85(5)

Citation : (2024) 06 KL CK 0097

Hon'ble Judges : Viju Abraham, J

Bench : Single Bench

Advocate : K.Mohanakannan, Deepa V.

Final Decision : Disposed Of

Judgement

Viju Abraham, J

1. Petitioner has approached this Court seeking a direction to the 5th respondent to consider and pass orders on Ext.P1 application submitted under Section 85(5) of the Kerala Land Reforms Act, 1963.

2. It is contended that the petitioner is in possession and enjoyment of 2.25 acres of property comprised in re-survey no.414 (old survey no.2/1A) of block no.23 of Alappadamba Village. There was a ceiling case as TLP 1625 of 1973 and the property of the petitioner is wrongly included in that ceiling case. Petitioner's father was in possession of the said property earlier and he had inherited the property. Since the property is included in the ceiling case wrongly, petitioner has approached the 5th respondent with a representation along with Ext.P1 application in Form 6 as provided under Section 85(5) of the Kerala Land Reforms Act, 1963. Petitioner submits that similar representations are filed before respondents 1 to 3 also. Petitioner seeks for an expeditious disposal of the same.

3. Heard the learned Government Pleader also.

After hearing both sides, I am inclined to dispose of the writ petition with a direction to the 5th respondent to consider Ext.P1 application and take a decision thereon in accordance with law within an outer limit of three months from the date of receipt of a copy of the judgment, after affording an opportunity of being heard to the petitioner and any other affected parties.