

(2018) 03 KL CK 0054

In the High Court Of Kerala

Case No : Writ Petition (Civil) No. 1122 Of 2018

P.C. Reghuaraman @APPELLANT@Hash State Of Kerala And Ors

Date of Decision : 01-03-2018

Acts Referred:

Citation : (2018) 03 KL CK 0054

Hon'ble Judges : A. Muhamed Mustaque, J

Bench : Single Bench

Advocate : George Mecheril, M.L. Sajeevan

Final Decision : Dismissed

Judgement

1. The writ petition is filed seeking a direction to the respondents to issue a location sketch as well as possession certificate. It is apparent that the revenue authorities refused to act upon the request of the petitioner for the reason that the land in question is a plantation and an exempted land under the ceiling proceedings under the Kerala Land Reforms Act. However, that cannot be a reason for declining the request of the petitioner as he being the rightful owner to the property.

2. This Court is of the view that the petitioner's request has to be considered. Nevertheless, this will be without prejudice to the right of the State to proceed against the petitioner's property, if the land is converted for non-exempted activities.

3. Therefore, needful shall be done to issue the location sketch and possession certificate to the holder of the property within one month. The State is free to take action, if it is found that the petitioner has converted the exempted land for non-exempted activities. In the light of the above, the impugned order is set aside. It is made clear that the above directions are issued, following the directions issued by this Court in W.P.(C).Nos.7365/2016 and 28877 of 2016 vide judgment dated 5.12.2016. The writ petition is disposed of as above. No costs.