

**15 -ാം കേരള നിയമസഭ**

**12 -ാം സമ്മേളനം**

**നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 2334**

**14-10-2024 - ൽ മറുപടിയ്ക്ക്**

**വിജയ കൺവെൻഷൻ സെന്റർ നിർമ്മാണ അനുമതി**

ചോദ്യം		ഉത്തരം	
<b>ശ്രീ മാത്യു ടി. തോമസ്</b>		<b>ശ്രീ എം.ബി. രാജേഷ്</b> (തദ്ദേശ സ്വയംഭരണ - എക്സൈസ് - പാർലമെന്ററികാര്യ വകുപ്പ് മന്ത്രി)	
(എ)	തിരുവല്ല മണ്ഡലത്തിലെ പെരിങ്ങര പഞ്ചായത്തിൽ കാവുണ്ടാലം വില്ലേജിൽ വിജയ കൺവെൻഷൻ സെന്റർ എന്ന സ്ഥാപനത്തിന് കെട്ടിട നിർമ്മാണത്തിന് അനുമതി നൽകിയിട്ടുണ്ടോ; എങ്കിൽ എന്നാണ് അനുമതി നൽകിയിട്ടുള്ളതെന്ന് വ്യക്തമാക്കാമോ;	(എ)	ഉണ്ട്. 28/01/2014-നാണ് അനുമതി നൽകിയിട്ടുള്ളത്.
(ബി)	റവന്യൂ രേഖകളിൽ നിലം എന്ന് രേഖപ്പെടുത്തിയിട്ടുള്ള പ്രസ്തുത സ്ഥലത്ത് നിർമ്മാണത്തിന് അനുമതി നൽകുന്നതിന് എന്തെങ്കിലും പ്രത്യേക ഉത്തരവുണ്ടോ; എങ്കിൽ ആയതിന്റെ പകർപ്പ് ലഭ്യമാക്കാമോ?	(ബി)	2008-ലെ കേരള നെൽവയൽ തണ്ണീർത്തട സംരക്ഷണ നിയമം നിലവിൽ വരുന്നതിന് മുമ്പ് തന്നെ പ്രസ്തുത സ്ഥലം നികത്തപ്പെട്ടിരുന്നു എന്ന് പെരിങ്ങര ഗ്രാമപഞ്ചായത്ത് സെക്രട്ടറി ചീഫ് ടൗൺ പ്ലാനർക്ക് നൽകിയിരുന്ന റിപ്പോർട്ടിന്റെ അടിസ്ഥാനത്തിൽ ചീഫ് ടൗൺ പ്ലാനർ അനുമതി നൽകുകയും 2014-ൽ പെരിങ്ങര ഗ്രാമപഞ്ചായത്ത് സെക്രട്ടറി ബിൽഡിംഗ് പെർമിറ്റ് നൽകുകയും ചെയ്തിരുന്നു. നിശ്ചിതസമയത്തിനകം പ്രവൃത്തി പൂർത്തിയാക്കാൻ കഴിയാത്തതിനാൽ 05.04.2017-ൽ പെർമിറ്റ് പുതുക്കി നൽകിയിരുന്നു. നിർമ്മാണം തുടർന്ന് വരവേ ജില്ല കളക്ടറുടെ 11.10.2017-ലെ കത്ത് പ്രകാരം നിർമ്മാണാനുമതി നിഷേധിച്ചിട്ടുള്ള സാഹചര്യത്തിൽ ഇക്കാര്യത്തിൽ ജില്ല കളക്ടർ അന്തിമ തീരുമാനമെടുക്കുന്നതുവരെ നിർമ്മാണം നിർത്തിവയ്ക്കാൻ പഞ്ചായത്ത് സെക്രട്ടറി കെട്ടിട ഉടമയ്ക്ക് നോട്ടീസ് നൽകുകയും ഇതിനെതിരെ കെട്ടിട ഉടമ ഫയൽ ചെയ്ത WP(C) 8364/2018 നമ്പർ കേസിൽ ബഹു.ഹൈക്കോടതി പുറപ്പെടുവിച്ച 13.03.2018-ലെ ഉത്തരവ് പ്രകാരം ടി നോട്ടീസ് സ്റ്റേ ചെയ്യുകയും ചെയ്തിട്ടുള്ളതാണ്. നികത്തിയ ഭൂമി പൂർവ്വസ്ഥിതിയിലാക്കുന്നതിന് കെട്ടിട ഉടമയ്ക്ക് നിർദ്ദേശം നൽകിക്കൊണ്ട് ജില്ല കളക്ടർ പുറപ്പെടുവിച്ച 08.03.2018-ലെ ഉത്തരവ് ബഹു. ഹൈക്കോടതി WP(C) 9478/2018 നമ്പർ കേസിലെ 20.03.2018-ലെ ഉത്തരവ് പ്രകാരം സ്റ്റേ ചെയ്യുകയും തുടർന്ന് 5602

ച.മീ വിസ്തൃതിയിൽ കൺവെൻഷൻ സെന്ററിന്റെ നിർമ്മാണം പൂർത്തിയാക്കിയിട്ടുള്ളതുമാണ്. കെട്ടിടനിർമ്മാണം നടന്നിട്ടുള്ള സ്ഥലം 23.06.2021-ലെ വിജ്ഞാപന പ്രകാരം ഡാറ്റാ ബാങ്കിൽ നിന്ന് നീക്കം ചെയ്തിട്ടുള്ളതിനാൽ പ്രസ്തുത വിജ്ഞാപന പ്രകാരമുള്ള എല്ലാ ആനുകൂല്യങ്ങൾക്കും കെട്ടിട ഉടമയ്ക്ക് അർഹതയുണ്ടെന്ന് WP(C) 7037/2014-ലും ബന്ധപ്പെട്ട കേസുകളിലുമായി ബഹു. ഹൈക്കോടതി പുറപ്പെടുവിച്ച 10/05/2022-ലെ പൊതുവിധിന്യായത്തിൽ ഉത്തരവായിട്ടുണ്ട്. കേരള നെൽവയൽ തണ്ണീർത്തട സംരക്ഷണ നിയമത്തിന്റെ വകുപ്പ് 13 പ്രകാരം പ്രസ്തുത ഭൂമി പൂർവ്വസ്ഥിതിയിലാക്കുന്നതിന് പത്തനംതിട്ട ജില്ല കളക്ടർ പുറപ്പെടുവിച്ച ഉത്തരവും ടി വിധിന്യായപ്രകാരം റദ്ദ് ചെയ്തിട്ടുണ്ട്. ടി വിധിന്യായത്തിന്റെ പകർപ്പും പത്തനംതിട്ട ജില്ലാ കളക്ടറുടെ 29.06.2022-ലെ സി4-16808/2014 നമ്പർ കത്തിന്റെ പകർപ്പും അനുബന്ധമായി ചേർത്തിരിക്കുന്നു.

സെക്ഷൻ ഓഫീസർ

**രേണോഷ-മാതൃഭാഷ**

നമ്പർ സി4-16808/2014

കളക്ടറേറ്റ്, പത്തനംതിട്ട  
തീയതി : 27.06-2022

ജില്ലാ കളക്ടർ,  
പത്തനംതിട്ട.

1. റവന്യൂ ഡിവിഷണൽ ഓഫീസർ തിരുവല്ല
2. സെക്രട്ടറി  
പെരിങ്ങര ഗ്രാമ പഞ്ചായത്ത്

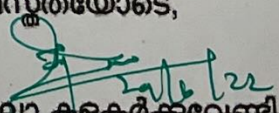
സർ,

വിഷയം :- 1. RP-943/2020 in WP(C)12734/2020 ബഹു.കേരളാ ഹൈക്കോടതിയുടെ 17.12.2020 ലെ ഉത്തരവ്.

- സൂചന :-
1. ബഹു.കേരളാ ഹൈക്കോടതിയുടെ 17.12.2020 ലെ RP 943/2020 in WP(C)12734/2020 നം. വിധിന്യായം.
  2. ബഹു.കേരളാ ഹൈക്കോടതിമുൻപാകെ ശ്രീ. കെ.പി. വിജയൻ ഫയൽ WP©-3360/2021 ചെയ്ത നമ്പർ കേസ്.
  3. ആ ആഫീസിലെ 13-05-2022 തീയതിയിലെ എസ്സ് സി./2620/2022 നമ്പർ കത്ത്

\* \* \* \* \*

സൂചനയിലേയ്ക്ക് ശ്രദ്ധ ക്ഷണിക്കുന്നു. ശ്രീ കെ.പി.വിജയൻ, വിജയസൗധം, വെൺപാല , എന്നവ്യക്തി ബഹു.കേരള ഹൈക്കോടതിയിൽ ഫയൽ ചെയ്ത WP(C)7037/2014, 9722/2014, 3360/2021, 18817/2021 എന്നീ കേസുകളും, ശ്രീ. ജോസഫ് ജോൺ ഫയൽ ചെയ്ത എന്നീ WP© 27737/14, 12890/21, 16988/21 കേസുകളും ഒരുമിച്ച് പരിഗണിച്ച് ബഹു. കേരള ഹൈക്കോടതി 10-05-2022 തീയതിയിൽ വിധിന്യായം പുറപ്പെടുവിക്കുകയും, ശ്രീ.കെ.പി വിജയൻ ഫയൽ ചെയ്ത റിട്ട് പെറ്റീഷനുകൾ അനുവദിക്കുകയും, ശ്രീ.ജോസഫ് ജോൺ ഫയൽ ചെയ്ത WP(C)27737/14, WP© 12890/21 എന്നിവ തള്ളുകയും, WP(C)12890/21 ൽ പ്രയിനേജ് സംബന്ധിച്ച കാര്യം മാത്രം അനുവദിച്ച് ബാക്കി ആവശ്യങ്ങൾ നിരസിക്കുകയും ചെയ്തിട്ടുണ്ട്. കേസുകൾക്കാസ്പദമായ ഭൂമി ഗസറ്റ് വിജ്ഞാപനം വഴി ഡേറ്റാ ബാങ്കിൽനിന്നും നീക്കം ചെയ്തിട്ടുള്ള സാഹചര്യത്തിൽ ഈ കാര്യലയത്തിൽനിന്നും കേരള നെൽവയൽ തണ്ണീർത്തട സംരക്ഷണ നിയമം വകുപ്പ് 13 പ്രകാരം പുറപ്പെടുവിച്ച നടപടിക്രമം ബഹു. കേരള ഹൈക്കോടതി റദ്ദുചെയ്തിട്ടുള്ളതും ആകുന്നു. ബഹു. ഹൈക്കോടതിയുടെ വിധിന്യായത്തിനുമേൽ അപ്പീൽ സാധ്യതയില്ലെന്നും ജില്ലാ ലോ ഓഫീസർ നിയമോപദേശം നൽകിയിട്ടുള്ളതാണ്. ആയതിനാൽ ബഹു. കേരള ഹൈക്കോടതിയുടെ 10-05-2022 തീയതിയിലെ WP(C)7037/14 നമ്പർ വിധിന്യായം അടിയന്തരമായി നടപ്പിലാക്കാൻ തുടർ നടപടികൾ സ്വീകരിക്കണമെന്ന് അറിയിക്കുന്നു.

വിശ്വസ്തയോടെ,  
  
ജില്ലാ കളക്ടർക്കുവേണ്ടി.

പകർപ്പ് ശ്രീ.കെ.പി. വിജയൻ  
വിജയസൗധം, വെൺപാല പി.ഓ  
തിരുവല്ല

CA  
27/6/22  
റവന്യൂ ഡിവിഷണൽ ഓഫീസർ  
തിരുവല്ല

**അയച്ചു**  
തീയതി... 30/6/22..

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE T.R.RAVI**

**TUESDAY, THE 10TH DAY OF MAY 2022 / 20TH VAISAKHA, 1944**

**WP(C) NO. 7037 OF 2014**

**PETITIONER:**

K.P.VIJAYAN, AGED 58,  
S/O.PURUSHOTHAMAN, VIJAYASADANAM, VENPALA,  
THIRUVALLA, PATHANAMTHITTA.

BY ADVS.  
SRI.T.P.PRADEEP  
SRI.S.SREEDEV  
SRI S.SREEKUMAR (SR.)

**RESPONDENTS:**

- 1 THE DISTRICT COLLECTOR  
PATHANAMTHITTA, 689645.
- 2 THE REVENUE DIVISIONAL OFFICER  
THIRUVALLA, PATHANAMTHITTA, 689101.  
ADDL.R3 IMPLEADED
- 3 JOSEPH JOHN  
AGED 65 YEARS  
S/O LATE C.A.JOHN,CHIRAPARAMBIL HOUSE, PERUMTHURUTHY  
P.O,THIRUVALLA-689107  
IS IMPLEADED AS PER ORDER DATED 16/07/2014 IN IA  
8481/2014  
BY GOVT.PLEADER SRI B.S  
ADV SRI K.SHAJ  
SRI P.VISWANATHAN (SR.)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
15.03.2022, ALONG WITH WP(C).9722/2014 AND CONNECTED CASES, THE  
COURT ON 10.5.2022 DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE T.R.RAVI**

**TUESDAY, THE 10TH DAY OF MAY 2022 / 20TH VAISAKHA, 1944**

**WP(C) NO. 9722 OF 2014**

**PETITIONER:**

K.P. VIJAYANAGED 58,  
S/O.PURUSHOTHAMAN, VIJAYASADANAM,  
VENPALA, THIRUVALLA, PATHANAMTHITTA.

BY ADV SRI.T.P.PRADEEP

SRI S.SREEKUMAR (SR.)

**RESPONDENTS:**

- 1 THE DISTRICT COLLECTOR  
PATHANAMTHITTA-689645.
- 2 THE REVENUE DIVISIONAL OFFICER  
THIRUVALLA, PATHANAMTHITTA-689101.

BY GOVERNMENT PLEADER SRI VIPIN NARAYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
15.03.2022, ALONG WITH WP(C).7037/2014 AND CONNECTED CASES, THE  
COURT ON 10.5.2022 DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE T.R.RAVI**

**TUESDAY, THE 10TH DAY OF MAY 2022 / 20TH VAISAKHA, 1944**

**WP(C) NO. 27737 OF 2014**

**PETITIONER:**

JOSEPH JOHN  
CHIRAPARAMBIL HOUSE, PERUMTHURUTHY P.O.,  
THIRUVALLA, PIN - 689 107.

BY ADVS.  
SHRI.M.V.S.NAMPOOTHIRY  
SRI.ROHIT C.OOMMEN

**RESPONDENTS:**

- 1 THE DISTRICT COLLECTOR  
COLLECTORATE, PATHANAMTHITTA - 689 645.
- 2 THE REVENUE DIVISIONAL OFFICER  
THIRUVALLA - 689 101.
- 3 THE TALUK TAHSILDAR  
THIRUVALLA - 689 101.
- 4 THE AGRICULTURAL OFFICER  
KRISHI BHAVAN, PERINGARA, THIRUVALLA - 689 108.
- 5 K.P.VIJAYAN  
VIJAYA SADANAM, VENPALA P.O., THIRUVALLA - 689 102.  
BY ADV SRI.T.P.PRADEEP  
SRI S.SREEKUMAR (SR.)  
GOVT.PLEADER SRI B.S.SYAMANTHAK

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15.03.2022, ALONG WITH WP(C).7037/2014 AND CONNECTED CASES, THE COURT ON 10.5.2022 DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE T.R.RAVI**

**TUESDAY, THE 10TH DAY OF MAY 2022 / 20TH VAISAKHA, 1944**

**WP(C) NO. 3360 OF 2021**

**PETITIONER:**

K.P. VIJAYAN,  
AGED 62 YEARS  
VIJAYA SOUDHAM, VENPALA MURI,  
KUTTOOR VILLAGE, THIRUVALLA,  
PATHANAMTHITTA DISTRICT, PIN-689102.

BY ADVS.  
SRI S.SREEKUMAR (SR.)  
SRI.P.K.SATHEES KUMAR  
SMT.MINIKUMARY M.V.  
SHRI.AJAI JOHN  
SRI.T.P.PRADEEP

**RESPONDENTS:**

- 1 THE DISTRICT COLLECTOR  
COLLECTORATE, PATHANAMTHITTA DISTRICT,  
PIN-688001.
- 2 THE REVENUE DIVISIONAL OFFICER,  
REVENUE DIVISIONAL OFFICE, THIRUVALLA, PATHANAMTHITTA  
DISTRICT,  
PIN-689101.
- 3 THE LOCAL LEVEL MONITORING COMMITTEE,  
REPRESENTED BY ITS CONVENER,  
PERINGARA GRAMA PANCHAYATH,  
PERINGARA.P.O, PATHANAMTHITTA DISTRICT, PIN-689108.
- 4 PERINGARA GRAMA PANCHAYAT,  
REPRESENTED BY IT'S SECRETARY,  
PERINGARA.P.O, PATHANAMTHITTA DISTRICT, PIN-689108.
- 5 THE SECRETARY,  
PERINGARA GRAMA PANCHAYAT,  
PERINGARA.P.O, PATHANAMTHITTA DISTRICT, PIN-689108.

**WP(C) NO. 3360 OF 2021**

6 JOSEPH JOHN,  
CGIRAPARAMBIL HOUSE, PERUMTHURUTHY.P.O,  
THIRUVALLA, PIN-689107.

BY ADVS.

SHRI.VARGHESE M.EASO, SC, PERINGARA GRAMA PANCHAYAT  
SRI.K.SHAJ

SRI P.VISWANATHAN (SR.)

GOVT.PLEADER SRI VIPIN NARAYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
15.03.2022, ALONG WITH WP(C).7037/2014, 16988/2021 AND  
CONNECTED CASES, THE COURT ON 10.5.2022 DELIVERED THE  
FOLLOWING:



**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE T.R.RAVI**

**TUESDAY, THE 10TH DAY OF MAY 2022 / 20TH VAISAKHA, 1944**

**WP(C) NO. 12890 OF 2021**

**PETITIONER:**

JOSEPH JOHN  
AGED 73 YEARS  
S/O C.A JOHN, CHIRAPRAMBIL HOUSE, PERUNTHURUTHI P.O,  
THIRUVALLA 689 107

BY ADVS.  
SRI K.SHAJ  
RENJIT GEORGE  
C.IJLAL  
UMMUL FIDA  
JOSEPH MARY DAS  
ARUN CHAND  
VINAYAK G MENON  
BHARAT VIJAY P.  
MAJID MUHAMMED K.  
SRI P.VISWANATHAN (SR.)

**RESPONDENT/S:**

- 1 THE DISTRICT COLLECTOR,  
PATHANAMTHITTA, PATHANAMTHITTA DISTRICT 686 945
- 2 THE REVENUE DIVISIONAL OFFICER,  
THIRUVALLA, PATHANAMTHITTA DISTRICT 689 101
- 3 THE TAHSILDAR,  
THIRUVALLA TALUK, THIRUVALLA, PATHANAMTHITTA  
DISTRICT 689 101
- 4 THE VILLAGE OFFICER  
KAVUMBHAGOM VILLAGE, THIRUVALLA TALUK,  
PATHANAMTHITTA DISTRICT 689 102
- 5 THE PERINGARA GRAMA PANCHAYAT,  
REPRESENTED BY ITS SECRETARY, PERINGARA P.O,  
PATHANAMTHITTA 689 108
- 6 THE EXECUTIVE ENGINEER  
MINOR IRRIGATION, PATHANAMTHITTA 686 945

**WP(C) NO. 12890 OF 2021**

- 7 THE AGRICULTURAL OFFICER,  
KRISHI BHAVAN, PERINGARA P.O, THIRUVALLA TALUK,  
PATHANAMITTA DISTRICT 689 108
- 8 THE KERALA STATE REMOTE SENSING AND ENVIRONMENT  
CENTRE,  
REPRESENTED BY ITS DIRECTOR, 1ST FLOOR, VIKAS  
BHAVAN, NEAR LEGISLATIVE ASSEMBLY, UNIVERSITY OF  
KERALA SENATE HOUSE CAMPUS, PMG, THIRUVANANTHAPURAM,  
KERALA 695 033
- 9 K.P VIJAYAN,  
VIJAYA SADANAM, VENPALA P.O, THIRUVALLA TALUK,  
PATHANAMTHITTA DISTRICT 689 102
- 10 THE LOCAL LEVEL MONITORING COMMITTEE FOR PERINGARA  
GRAMA PANCHAYATH  
REPRESENTED BY ITS CONVENER, PERINGARA P.O,  
PATHANAMTHITTA 689 108

BY ADVS.

SHRI.VARGHESE M.EASO, SC, PERINGARA GRAMA PANCHAYAT  
T.P.PRADEEP

SRI S.SREEKUMAR (SR.)  
MINIKUMARY M.V.

GOVT.PLEADER SRI VIPIN NARAYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
15.03.2022, ALONG WITH WP(C).7037/2014 AND CONNECTED CASES, THE  
COURT ON 10.5.2022 DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE T.R.RAVI**

**TUESDAY, THE 10TH DAY OF MAY 2022 / 20TH VAISAKHA, 1944**

**WP(C) NO. 16988 OF 2021**

**PETITIONER:**

JOSEPH JOHN  
AGED 73 YEARS  
S/O. C.A JOHN, CHIRAPRAMBIL HOUSE,  
PERUNTHURUTHI P.O., THIRUVALLA-689 107

BY ADVS.  
SRI K.SHAJ  
SRI JOSSY S. KATTUR  
SRI C.IJLAL  
SMT.UMMUL FIDA  
SMT.RESHMA.P.  
SRI JOSEPH MARY DAS  
SRI ARUN CHAND  
SRI VINAYAK G MENON  
SRI BHARAT VIJAY P.  
SRI MAJID MUHAMMED K.  
SRI PRAMOD M.  
SRI P.VISWANATHAN (SR.)

**RESPONDENTS:**

- 1 THE DISTRICT COLLECTOR,  
PATHANAMTHITTA,  
OFFICE OF THE DISTRICT COLLECTOR,  
PATHANAMTHITTA DISTRICT-686 945
- 2 THE REVENUE DIVISIONAL OFFICER,  
OFFICE OF THE REVENUE DIVISIONAL OFFICER,  
THIRUVALLA,  
PATHANAMTHITTA DISTRICT-689 101
- 3 THE TAHSILDAR,  
OFFICE OF THE TAHSILDAR, THIRUVALLA TALUK,  
THIRUVALLA,  
PATHANAMTHITTA DISTRICT-689 101
- 4 DEPUTY TAHSILDAR (ELECTION)  
OFFICE OF THE TAHSILDAR, THIRUVALLA TALUK,  
THIRUVALLA, PATHANAMTHITTA DISTRICT-689 101

**WP(C) NO. 16988 OF 2021**

- 5 THE VILLAGE OFFICER,  
KAVUMBHAGOM VILLAGE, THIRUVALLA TALUK, PATHANAMTHITTA  
DISTRICT-689 102
- 6 THE PERINGARA GRAMA PANCHAYAT,  
REPRESENTED BY ITS SECRETARY,  
PERINGARA P.O.,  
PATHANAMTHITTA-689 108
- 7 THE SECRETARY  
PERINGARA GRAMA PANCHAYAT,  
PERINGARA P.O.,  
PATHANAMTHITTA-689 108
- 8 THE EXECUTIVE ENGINEER,  
MINOR IRRIGATION DIVISION,  
PATHANAMTHITTA-686 945
- 9 THE AGRICULTURAL OFFICER,  
KRISHI BHAVAN, PERINGARA P.O.,  
THIRUVALLA TALUK,  
PATHANAMTHITTA DISTRICT-689 108
- 10 THE EXECUTIVE ENGINEER,  
LSGD ENGINEERING WING,  
CHANGANASSERY, MUNICIPALITY,  
CHANGANASSERY-686 101
- 11 THE KERALA STATE REMOTE SENSING AND ENVIRONMENT  
CENTRE,  
REPRESENTED BY ITS DIRECTOR,  
1ST FLOOR, VIKAS BHAVAN,  
NEAR LEGISLATIVE ASSEMBLY,  
UNIVERSITY OF KERALA SENATE HOUSE CAMPUS,  
PMG THIRUVANANTHAPURAM,  
KERALA-695 033
- 12 THE LOCAL LEVEL MONITORING COMMITTEE FOR PERINGARA  
GRAMA PANCHAYAT,  
REPRESENTED BY ITS CONVENER,  
PERINGARA P.O.,  
PATHANAMTHITTA-689 108
- 13 K.P.VIJAYAN,  
VIJAYA SADANAM, VENPALA P.O., THIRUVALLA TALUK,  
PATHANAMTHITTA DISTRICT-689 102

**WP(C) NO. 16988 OF 2021**

14 NATIONAL CENTRE FOR EARTH SCIENCE STUDIES,  
REPRESENTED BY ITS DIRECTOR,  
POST BOX NO.7250, AKKULAM,  
THIRUVANANTHAPURAM-695 011

BY ADVS.

SHRI.VARGHESE M.EASO, SC, PERINGARA GRAMA PANCHAYAT

SRI S.VISHNU

SRI T.P.PRADEEP

SRI P.VIJAYAKUMAR

SMT.MINIKUMARY M.V.

SRI S.MANU

MS.S.KRISHNA

GOVT.PLEADER SRI VIPIN NARAYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
15.03.2022, ALONG WITH WP(C).7037/2014 AND CONNECTED CASES, THE  
COURT ON 10.5.2022 DELIVERED THE FOLLOWING:

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE T.R.RAVI**

**TUESDAY, THE 10TH DAY OF MAY 2022 / 20TH VAISAKHA, 1944**

**WP(C) NO. 18817 OF 2021**

**PETITIONER:**

K.P.VIJAYAN  
AGED 62 YEARS  
VIJAYA SOUDHAM, VENPALA MURI, KUTTOOR VILLAGE,  
THIRUVALLA, PATHANAMTHITTA DISTRICT, 689 102,  
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER ANISH  
JOSEPH VARGHESE, AGED 38 YEARS, S/O C J VARGHESE,  
CHACKALAMURIYIL HOUSE, MADATHUMBHAGOM NORTH P.O.  
KALLOOPPARA VILLAGE, MALLAPPALLY TALUK

BY ADVS.  
SRI T.P.PRADEEP  
SRI P.K.SATHEES KUMAR  
SMT.MINIKUMARY M.V.  
SRI S.SREEKUMAR (SR.)

**RESPONDENTS:**

- 1 THE DISTRICT COLLECTOR,  
COLLECTORATE, PATHANAMTHITTA DISTRICT 688 001.
- 2 THE REVENUE DIVISIONAL OFFICER,  
REVENUE DIVISIONAL OFFICE, THIRUVALLA, PATHANAMTHITTA  
DISTRICT 689 101.
- 3 THE LOCAL LEVEL MONITORING COMMITTEE,  
REPRESENTED BY ITS CONVENER, PERINGARA GRAMA  
PANCHAYATH, PERINGARA P.O. PATHANAMTHITTA DISTRICT  
689 108.
- 4 PERINGARA GRAMA PANCHAYAT,  
REPRESENTED BY ITS SECRETARY, PERINGARA P.O.  
PATHANAMTHITTA DISTRICT 689 108
- 5 THE SECRETARY,  
PERINGARA GRAMA PANCHAYAT, PERINGARA P.O.,  
PATHANAMTHITTA DISTRICT 689 108.

**WP(C) NO. 18817 OF 2021**

6 JOSEPH JOHN,  
CHIRAPRAMBIL HOUSE, PERUMTHURUTHY P.O. THIRUVALLA,  
689 107.

BY ADVS.

SHRI.VARGHESE M.EASO, SC, PERINGARA GRAMA PANCHAYAT

SRI K.SHAJ

SRI P.VISWANATHAN (SR.)

GOVT.PLEADER SRI B.S.SYAMANTHAK

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
15.03.2022, ALONG WITH WP(C).7037/2014 AND CONNECTED CASES, THE  
COURT ON 10.5.2022 DELIVERED THE FOLLOWING:

**T.R.RAVI, J.**

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**W.P.(C)Nos.7037 of 2014, 9722 of 2014,  
27737 of 2014, 3360 of 2021,  
12890 of 2021, 16988 of 2021, & 18817 of 2021**  
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**Dated this the 10<sup>th</sup> day of May, 2022**

**JUDGMENT**

W.P.(C).Nos.7037 of 2014, 9722 of 2014, 3360 of 2021 and 18817 of 2021 have been filed by one Sri K.P.Vijayan. W.P.(C) Nos.27737 of 2014, 12890 of 2021 and 16988 of 2021 have been filed by one Sri Joseph John. The crux of the dispute is that Sri Vijayan had constructed a building which according to Sri Joseph John has resulted in flooding of his properties. Sri Joseph contends that the construction has been made in violation of the statutory provisions, while Sri Vijayan defends the construction by saying that his actions were in accordance with the law. Since all the cases involve the very same issue, they are being considered and disposed of together.

2. For convenience, W.P.(C)No.18817 of 2021 will be treated as the main case. The reference to documents and the parties are in accordance with what is stated in the above-said case. The petitioner in the said case is Sri K.P.Vijayan and the 6<sup>th</sup> respondent is Sri Joseph John. The District Collector is the 1<sup>st</sup> respondent, the Revenue



Divisional Officer is the 2<sup>nd</sup> respondent, the Local Level Monitoring committee is the 3<sup>rd</sup> respondent, and respondents 4 and 5 are the Peringara Grama Panchayat and its Secretary.

3. According to the petitioner, he is an NRI who was doing business in the Middle East for over 40 years. Trusting the words of the State Administration inviting NRI investment in Kerala, the petitioner says he decided to invest about 45 Crores to establish a Convention Centre and shopping mall at Thiruvalla. He purchased 350.56 Ares of land comprised in Sy.Nos.167/3-1, 168/2, 168/4, 168/5, 169/1, 169/2, 169/3, 167/4, 168/3 and 170/1 of Kavumbhagam Village (hereinafter referred to as the properties). The properties were purchased from different persons prior to 2007. According to the petitioner, the first phase of the project, that is, the construction of the Convention Centre, is already completed. The petitioner submits that at the time of the purchase itself the properties were partly developed lands, filled with soil to a height of 1.25 Metres and covered with shrubs and some trees, including coconut and mango trees at various places. It is submitted that there was no paddy cultivation in the properties for the past more than 30 years and that the surrounding properties were also developed lands with buildings. According to him, the properties were lying on a lower level than the MC Road on its western side and

would become waterlogged during the rainy seasons. The petitioner hence planned to fill the properties with soil to a height of a further 4 Feet so that the level of the properties will be at the level of the MC Road. As the properties were described as paddy land in the revenue records, the petitioner applied to the 1<sup>st</sup> respondent on 17.5.2006 for permission to use the properties for other purposes, under clause 6 of the Kerala Land Utilisation Order, 1967 (KLU order). By Ext.P1 dated 12.6.2006, the petitioner was granted permission for filling the properties. Ext.P1 referred to the properties in Sy.Nos.167/3-1, 168/2, 168/3, 168/4, 169/1, 169/4-1 and 169/3. It can be seen from the order itself that the lands had been developed upto a height of 1.2 Metres several years back and that the lands were not suitable for paddy cultivation. Based on Ext.P1, the petitioner developed the properties to prevent inundation. Six months after Ext.P1 order, the 1<sup>st</sup> respondent issued Ext.P2 order dated 23.1.2007, cancelling Ext.P1 order on the ground that the order was passed without taking the opinion of the Principal Agricultural Officer and other officials. The petitioner submits that Ext.P2 was issued without notice to the petitioner and without hearing his version and that even prior to the issuance of Ext.P2, the properties had been developed by filling soil. It is further submitted that there is no power available under the KLU order with the 1<sup>st</sup> respondent, to review his order. The petitioner

further submits that the 1<sup>st</sup> respondent had issued Ext.P2 order under the influence of the 6<sup>th</sup> respondent, who according to the petitioner, is a politician residing in the adjacent property.

4. The petitioner submits that even though the properties are described as nilam in the revenue records, they are described as purayidam in the title deeds. In the data bank prepared as per the Kerala Conservation of Paddy Land and Wetland Act, 2008 (2008 Act), in relation to Peringara Panchayat, the properties belonging to the petitioner are specifically mentioned as purayidam. Even though the properties in Re-Sy.Nos.167/4, 168/3, and 170/1 were notified as nilam in the data bank published initially, it was decided to change the description as garden land and there was a direction to the Secretary of the Panchayat to notify the correction. The certificate to that effect issued by the Agricultural Officer, Peringara on 14.3.2013 has been produced as Ext.P3. The petitioner applied to the 2<sup>nd</sup> respondent for permission to start construction on the property. The 2<sup>nd</sup> respondent gave permission stating that he had personally inspected the property and is convinced that the property had been converted prior to the commencement of the 2008 Act. Ext.P4 dated 24.7.2013 is the order issued in that regard. Based on Ext.P4, the petitioner approached the 4<sup>th</sup> and 5<sup>th</sup> respondents for issuance of a building permit for the construction of the Convention Centre on his

property. The application was referred to the Chief Town Planner, Thiruvananthapuram for sanction. The Chief Town Planner had requested the 5<sup>th</sup> respondent to submit a feasibility report regarding the project and stating whether sanction can be granted. The Secretary had submitted Ext.P5 report before the Chief Town Planner. In Ext.P5, it has been stated that the property had been developed even before the commencement of the 2008 Act. Subsequently, a detailed report was submitted by the District Town Planner to the Chief Town Planner stating the details of the proposed construction and its feasibility. The said report has been produced as Ext.P6. The petitioner was thereafter issued Ext.P7 sanction on 24.1.2014. Pursuant to Ext.P7, the 5<sup>th</sup> respondent also granted Ext.P8 building permit to the petitioner on 28.1.2014. The project could not be completed by the petitioner within the time granted in Ext.P8 and the 5<sup>th</sup> respondent had renewed the permit by order dated 5.4.2017.

5. After receiving Ext.P8 permit, further reclamation of the property was required before effecting the construction, and hence, the petitioner had applied to the 2<sup>nd</sup> respondent for permission to fill up the property with soil. The 2<sup>nd</sup> respondent had called for a report from the Village Officer and the Village Officer submitted a report on 7.3.2014 stating that the petitioner's property is situated adjacent to the MC Road and is demarcated by a compound wall on all sides. It

is also reported that there are Anjili, Coconut and Arecanut trees in the properties. Accepting the report of the Village Officer, the 2<sup>nd</sup> respondent has granted sanction for filling the property on certain conditions. The 2<sup>nd</sup> respondent's order dated 15.2.2014 is produced as Ext.P9.

6. When the petitioner started filling up the properties based on Ext.P9 sanction, the 2<sup>nd</sup> respondent issued another order cancelling Ext.P9 permission alleging that the conditions prescribed had been violated. The order cancelling Ext.P9 has been produced as Ext.P10 and it is dated 3.3.2014. The petitioner thereupon approached this Court by filing W.P.(C)No.7037 of 2014. On 18.3.2014, this Court stayed Ext.P10 order and permitted the petitioner to continue with the filling up of the property with soil. The interim order dated 18.3.2014 has been produced as Ext.P11. After developing the land, the petitioner started construction of the Convention Centre and for the purpose of strengthening the basement of the building, further soil had to be deposited. The petitioner approached the 2<sup>nd</sup> respondent again seeking permission to fill up the basement of the building with soil. After elaborate consideration, the 2<sup>nd</sup> respondent permitted the petitioner to put 3620 Cubic Metres of soil in the basement of the proposed Convention Centre building. Ext.P12 dated 10.9.2015 is the order

granting the above permission. The petitioner thereafter approached this Court by filing W.P.(C)No.11361 of 2016 for changing the classification of the property in the BTR. By judgment dated 23.3.2016, which has been produced as Ext.P13, this Court directed the Tahsildar, Thiruvalla to take a decision on the application submitted by the petitioner for re-assessing the land under Section 6A of the Land Tax Act.

7. While the construction was halfway through, the 5<sup>th</sup> respondent issued a notice to the petitioner stating that the District Collector has declined permission for construction in the petitioner's property as per his letter dated 11.10.2017 and directed to stop construction until a final decision is taken by the District Collector. According to the petitioner, the notice was issued at the instance of the 6<sup>th</sup> respondent. The notice has been produced as Ext.P14. The 1<sup>st</sup> respondent appears to have issued an order directing the 2<sup>nd</sup> respondent to initiate action against the petitioner's properties under Section 13 of the 2008 Act. There is also a further direction to the Local Body not to grant permission for construction. The order dated 11.10.2017 has been produced as Ext.P15. Pursuant to directions issued by the 1<sup>st</sup> respondent, the 2<sup>nd</sup> respondent also issued Ext.P16 letter dated 11.11.2017 to the 5<sup>th</sup> respondent directing to stop the construction in the petitioner's properties. Aggrieved by Exts.P14,

P15, and P16, the petitioner filed W.P.(C)No.8364 of 2018 before this Court, and this Court by Ext.P17 order dated 13.3.2018, stayed the operation of Exts.P14, P15, and P16. Purporting to be in compliance with Ext.P13 judgment, the 1<sup>st</sup> respondent issued an order directing the petitioner to restore the reclaimed paddy land comprised in Re-Sy.Nos.167/4, 168/3, and 170/1 to their original position within 45 days. There is a further direction to the Tahsildar to consider the application in the light of Section 27A of the 2008 Act for regularising the land comprised in Re-Sy.Nos.167/3-1, 169/4-1, 168/4, 169/3, 169/1, 168/2, 168/5 and 169/2 of Kavumbhagom Village. The order dated 8.3.2018 has been produced as Ext.P18. The petitioner challenged Ext.P18 order by filing W.P.(C)No.9478 of 2018. By order dated 20.3.2018 produced as Ext.P19, this Court stayed the operation of Ext.P18 order. The petitioner completed the construction of the Convention Centre with an area of 5602 Sq.Metres. The area exceeded the permitted construction area of 3620 Sq.Metres. The petitioner submitted a completion certificate and sketches before the 5<sup>th</sup> respondent for the purpose of numbering the building and an application for regularisation of the additional construction. Ext.P21 is the completion certificate. Ext.P22 is the sketch and Ext.P23 is the receipt dated 30.12.2020 issued by the Panchayat for having received the applications. On 16.6.2020, the

5<sup>th</sup> respondent wrote to the petitioner stating that the additional construction is made in Sy.No.168/3 and that the said construction was interdicted by the order of the District Collector and that the building can be numbered only after getting a final decision from this Court.

8. The petitioner approached the 3<sup>rd</sup> respondent for the purpose of removing the reclaimed paddy lands comprised in Re-Sy.Nos.167/4, 168/3 and 170/1 from the data bank. On the request of the Agricultural Officer, the report from the Kerala State Remote Sensing and Environment Centre (KSREC) was obtained for ascertaining the nature of the property between the years 2004 and 2011. Ext.P25 is the report submitted by the KSREC. It is submitted by the petitioner that as early as 2004 itself, the entire land was partially filled with soil. The petitioner has produced Ext.P26 circular dated 24.6.2019 issued by the Director of Panchayats as per which, buildings granted permits prior to 31.12.2017 are to be numbered without insisting on directions as per the provisions of the 2008 Act as amended in 2018. The petitioner filed W.P.(C)No.12734 of 2020 for a direction to the 5<sup>th</sup> respondent to number the building. This Court by a common judgment dated 29.9.2020 in W.P.(C)No.8364 of 2018, 9478 of 2018, 12785 of 2018, 12527 of 2020, and 12734 of 2020 directed the 4<sup>th</sup> respondent to assign building numbers if the



construction has been complied with in accordance with the building permit. It was further held that if there is any violation, the petitioner is free to apply for regularisation, which shall be considered in accordance with the Rules. As far as violations relating to the land are concerned, the Revenue Authority was given the liberty to initiate against the petitioner in accordance with the law, after hearing the petitioner. Ext.P27 is the common judgment dated 29.9.2020.

9. Pursuant to Ext.P27, the 2<sup>nd</sup> respondent issued notice to the petitioner directing him to restore the reclaimed paddy lands comprised in Re-Sy.Nos.167/4, 168/3, and 170/1 to their original position within 15 days. Notice dated 27.11.2020 issued by the 2<sup>nd</sup> respondent is produced as Ext.P28. The Village Officer issued prohibition orders to stop all construction activities in the lands comprised in Sy.Nos.167/4, 168/3 and 170/1. Ext.P29 is the prohibitory order dated 1.12.2020. The petitioner had filed R.P.Nos.941 of 2020, 942 of 2020, and 943 of 2020 seeking review of the common judgment Ext.P27. The petitioner has produced as Ext.P31, the draft supplementary list of the data bank showing the properties in Re-Sy.Nos.167/4, 168/3 and 170/1 as purayidam. The supplementary list was forwarded to the Panchayat for notification as per Ext.P32. While considering the review petitions, this Court by

order dated 17.12.2020, directed the petitioner to apply in Form 5 along with the relevant documents to the 2<sup>nd</sup> respondent and further directed the 2<sup>nd</sup> respondent to take necessary action within two weeks. Ext.P33 is the order dated 17.12.2020 in R.P.No.943 of 2020. According to the petitioner, by Ext.P34 order, the 2<sup>nd</sup> respondent has rejected the application relying on the order of the District Collector and without any consideration of the facts as well as the report of the KSREC. Aggrieved by Ext.P34 order, the petitioner filed W.P.(C)No.3360 of 2021 and by Ext.P35 order dated 20.2.2021, this Court stayed the operation of Ext.P34. Thereafter, the 4<sup>th</sup> respondent published an erratum Gazette notification, excluding certain lands which were notified as paddy land in the earlier Gazette notification. This is pursuant to a decision taken by the Local Level Monitoring Committee (LLMC) constituted in Peringara Panchayat to correct the data bank by excluding the lands mistakenly included in the data bank. The said notification also included the properties belonging to the petitioner situated in Re-Sy.Nos.167/4, 168/3 and 170/1, which had already been decided to be removed from the data bank by the LLMC. The Gazette notification dated 23.6.2021 in this regard is produced as Ext.P36.

10. The 6<sup>th</sup> respondent has challenged Ext.P36 Gazette notification in W.P.(C)No.16988 of 2021. The petitioner submits that

even though in Ext.P27 judgment this Court had directed numbering of the building, the 5<sup>th</sup> respondent has declined to number the building or regularise the building based on Ext.P18 order of the 1<sup>st</sup> respondent. The order dated 2.11.2020 issued by the 5<sup>th</sup> respondent has been produced as Ext.P37. While so the Review Petitions filed by the petitioner were disposed of granting liberty to the petitioner to challenge the order of the 2<sup>nd</sup> respondent. The order in the Review Petition issued on 10.3.2021 has been produced as Ext.P38. A contempt case initiated was also closed.

11. The petitioner submits that the 6<sup>th</sup> respondent is a local politician and owns property near that of the petitioner and in fact, the petitioner himself had purchased the property of the 6<sup>th</sup> respondent at an exorbitant price for the purpose of getting road frontage for the property. The writ petition has been filed praying for quashing Ext.P37 order issued by the 5<sup>th</sup> respondent, for quashing Ext.P18 order, for quashing Ext.P2 order, and for a direction to the 5<sup>th</sup> respondent to take steps to regularise the construction and to number the building forthwith.

12. Heard Sri S.Sreekumar, Senior Advocate, instructed by Sri T.P. Pradeep on behalf of the petitioner Sri K.P.Vijayan, Sri P. Viswanathan, Senior Advocate, instructed by Sri K.Shaj, Advocate on behalf of the 6<sup>th</sup> respondent, Government Pleader on

behalf of respondents 1, 2 and 3 and Sri Varghese M.Easo, Standing Counsel for respondents 4 and 5.

13. In the writ petitions filed by the 6<sup>th</sup> respondent, the challenge is against the permission granted to the petitioner for filling up the land and regarding the removal of the lands in Sy.Nos.167/4, 168/3 and 170/1 from the data bank. The contention of the 6<sup>th</sup> respondent is that these lands were paddy lands and hence they could not have been removed from the data bank as if they were converted lands prior to 2008. By Ext.P36, the respondents 4 and 5 had issued a correction notification wherein 52 cases of wrong inclusion had been considered and the lands had been removed from the data bank. Sl.No.52 in Ext.P36 refers to the lands belonging to the petitioner in Sy.Nos.167/4, 168/3 and 170/1. The said notification is also challenged by the 6<sup>th</sup> respondent. As far as the petitioner is concerned, once the notification has been issued, most of the controversies regarding the question of inclusion of the lands in data bank do not survive.

14. Even though I have noticed the areas of dispute between the parties, much of the controversy has been laid to rest by Ext.P27 common judgment of this Court in W.P.(C)No.8364 of 2018, 9478 of 2014, 12734 of 2020, 12785 of 2018 and 12527 of 2020 rendered on 29.9.2020. It can be seen from the judgment that the 6<sup>th</sup> respondent

had submitted that he would be satisfied if proper drainage of water is ensured by the petitioner. The legal contentions regarding the permission to fill up the land to the level of the National Highway, etc. had been virtually given up and the 6<sup>th</sup> respondent only wanted a solution for drainage of water from his property. Paragraphs 6 to 11 of the judgment are relevant for the purpose of disposal of these cases and the same is extracted below;

"6. The learned senior Counsel appearing for Sri.K.P.Vijayan submits that there are some practical difficulties for Sri.K.P. Vijayan in allowing the claim of Sri. Joseph John as referable to Ext.P8 Order issued by the Executive Engineer, Irrigation Department. However, it is fairly submitted that an alternative arrangement can be made to redress the grievance of Sri.Joseph John. This Court, at this juncture pointed out that whether a drainage can be constructed under the supervision of an Advocate Commission appointed by this Court. The request has been acceded by the learned senior Counsel for Sri. K.P. Vijayan as well as Joseph John.

7. Sri. Navaneeth D Pai, a learned Advocate of this Court is appointed as Advocate Commission, in this regard.

8. In this circumstances, it is appropriate that Joseph john's grievance be redressed by constructing a drainage by Sri.K.P. Vijayan under the supervision of the Advocate Commission. The Advocate Commission shall identify such area through which the drainage can be made. He shall seek the assistance of the Executive Engineer, Minor Irrigation Department, Pathanamthitta. The area identified shall cause least inconvenience to Sri.K.P. Vijayan and also ensure that grievance of Sri.Joseph John is redressed. Sri.K.P. Vijayan shall also pay a sum of Rs.50,000/- (Rupees Fifty Thousand Only) as a commission batta to the Advocate Commission.

9. In the light of above, The Peringara Grama Panchayat is directed

to assign building number, if the construction has been completed in accordance with the building permit.

10. If there is any violation, Sri.K.P. Vijayan is also free to apply for regularization and that shall be considered in accordance with Rules.

11. In regard to any violation in respect of the land, the Revenue Authority is free to initiate action against Sri.K.P. Vijayan in accordance with law after giving an opportunity to him. In that event, necessarily, Revenue Administration is bound to refer to all the orders passed by the RDO. Reserving liberty to the Revenue Administration to initiate such action, these writ petitions are disposed of with aforesaid directions.”

15. In view of the judgment Ext.P27, there is no necessity to go into the issues raised in writ petitions which were filed prior to the judgment, that is, W.P.(C)No.7037 of 2014, 9722 of 2014, and 27737 of 2014 since none of the grievances can now survive and the parties will be bound by the principle of constructive res judicata. This Court is only concerned about what happened after Ext.P27 judgment. In paragraph 11 of Ext.P27, this Court had given liberty to the Revenue Authority to initiate action against the petitioner in accordance with law as far as the alleged violations are concerned. The authorities have already corrected the data bank and in the final data bank, the petitioner’s properties have been excluded. However, it is admitted on either side that even though this Court had in Ext.P27 judgment appointed an Advocate Commissioner to redress the grievance of the 6<sup>th</sup> respondent by the construction of drainage at the cost of the petitioner, the same has not been carried out even as on today and

there is no report available regarding the compliance with the said direction. The petitioner submits that he is still willing to do whatever is necessary to correct the situation. Even though an attempt was made during the hearing to find a solution by asking the counsel on either side to conduct a joint inspection of the property, the same did not materialize.

16. Sri P.Viswanathan, Senior Advocate appearing on behalf of the petitioner in W.P.(C)No.16988 of 2021 submits that even though Ext.P27 may bind the parties, the same cannot be understood to be having the effect of estoppel against statutory provisions. It is submitted that by Ext.P1, the petitioner was given permission with respect to about 5.20 Acres. By Ext.P2 dated 23.1.2007, the order was cancelled. Much later, by Ext.P8, the petitioner was granted a building permit. Soon thereafter, the Revenue Divisional Officer issued Ext.P9 order on 15.2.2014 whereby permission was granted for filling up to the level of the road based on certain conditions. The counsel referred to condition No.3 in Ext.P9 which said that while filling up, it must be ensured that a distance of at least 2 Metres is provided from the boundaries of the neighbouring properties. Condition No.4 says that the filling up of land should not affect the free flow of water. According to the petitioner, these conditions have been violated, which is the reason for the flooding of water in the

properties of Sri Joseph John. In Ext.P11 interim order, this Court ordered that the petitioner could fill up as permitted in Ext.P9. Sri P.Viswanathan points out that Sri Joseph John had preferred a complaint Ext.P4 on 26.8.2014 itself before the Revenue Divisional Officer pointing out that the petitioner has not provided a drainage system by the side of the filled land in order to ensure the free flow of water. The counsel referred to Ext.P5 series of photographs which have been produced in W.P.(C)No.16988 of 2021 and submits that the photographs had been taken as early as March 2014. It is submitted that the photographs along with Ext.P6 produced in the said writ petition would show that the attempt is to construct an auditorium in a paddy field. The counsel further submits that in W.P.(C)No.12527 of 2020, Sri Joseph John had prayed for a satellite survey by the KSREC to ascertain the nature of the lands in 2008. The counsel further points out that in Ext.P13 judgment in W.P.(C)No.11361 of 2016 filed by the petitioner, this Court had directed the Tahsildar to take a decision on Ext.P10 request dated 9.3.2016 filed by the petitioner. It is thereafter that by Ext.P18, it was ordered that the petitioner should restore the lands in Sy.Nos.168/3, 170/1, and 167/4 to their original position. The Senior Counsel submits that the issue basically pertains to the land in the said survey numbers which were not originally excluded from the data bank but were later



excluded by preparing a supplemental list.

17. The Senior Counsel points out that as far as Ext.P27 judgment is concerned, the judgment has three parts. The first part relates to the grievance of Sri Joseph John. The second part relates directions to the Panchayat regarding assigning of building number and the third part relates to the liberty to the Revenue to initiate action for violation in respect of the land. The counsel then refers to the interim commission report filed by the Advocate Commissioner appointed as per Ext.P27. He points out that even though this Court had directed the petitioner to provide drainage at his expense, the petitioner had submitted that constructing drainage as per the plan will cause huge financial expense and loss and would damage the frontage of his property. It is stated that the petitioner had pointed out that he had constructed 69 rainwater pits to collect the whole water which falls on the side of the property and the same is being taken to a flowing canal on the northern side. According to Sri Joseph John, rainwater pit will not redress his grievance. The Commissioner has further submitted that he had requested the officials of the Minor Irrigation Department to find out whether there is an alternative method for constructing the drainage with the least damage to the petitioner, which would also address the grievance of Sri Joseph John. The Commissioner has pointed out that if drainage

is to be constructed to drain water from Sri Joseph John's property, the drainage should have more than 5 Feet depth and must be constructed through the property of Sri Vijayan. The Advocate Commissioner has in his report stated that there is a delay in obtaining a feasible solution from the officials of the Minor Irrigation Department and hence an interim report alone is being filed.

18. On the question of the legality of the actions, the Senior Counsel submits that the procedure which must be followed as per law was not followed. Reference is made to Section 5 of the 2008 Act and Rule 4 of the Rules to submit that Ext.P28 produced in W.P. (C)No.16988 of 2021 which is the same as Ext.P36 produced in W.P. (C)No.18817 of 2021 cannot be sustained. The counsel also referred to the photographs taken through Google Earth in 2013 to submit that the filling up has been done after 2008 and hence the finding that the properties were filled up prior to 2008 is not correct. The counsel points out that the first reclamation was done based on Ext.P1 which was issued in 2006 and it did not relate to Sy.Nos.167/4, 168/3 and 170/1. It is submitted that prior to 2008, the Kerala Land Utilisation Order was applicable. It is further submitted that under Section 5 of the 2008 Act, the issue must be considered in a meeting of the LLMC, and the decision recorded in the minutes of the meeting, followed by a Gazette notification

regarding the nature of the property. It is submitted that the Committee cannot *suo motu* change the published data bank. Reference is made to the decision in **Salim C.K. & Anr. v. State of Kerala & Ors.** reported in **[2017 (1) KHC 394]** in paragraphs 6 and 7. The counsel further points out that as per the 2008 Act as amended in 2017, there could not have been a reclamation after 2008 and the petitioner will not be entitled to the benefit under Section 27A of the 2008 Act. It is submitted that Ext.P3 could not hence have been issued, since there was no power of review available justifying the issuance of the supplementary list. The counsel submitted that the issue can be finally resolved only by getting satellite pictures regarding the actual situation in 2008 and even though orders have been issued in favour of the petitioner including the properties in Sy.Nos.167/4, 168/3, and 170/1, the same have been done without any scientific analysis and hence need to be corrected. The counsel referred to the judgment in **Ratheesh v State of Kerala** reported in **[2013 (3) KLT 840]**. It is further submitted that the petitioner is not entitled to claim any equity, since he has violated not only the statutory provisions but also the directions in Ext.P27 judgment.

19. Sri S.Sreekumar, Senior Advocate appearing for the petitioners submitted in reply that Section 5(3) is not relevant, since

it came into force only in 2017. He refers to Ext.P1 and submits that the lands in Sy.No.168/3 have been included in Ext.P1 and it was only when the data bank was published that it was shown as a paddy land, which was necessarily a mistake, which needed to be corrected. The counsel referred to Ext.P19 produced in W.P.(C)No.16988 of 2021 which is the report of the KSREC, which can be relied on as per the Statute. It is seen from the said report that the properties in Sy.Nos.167/4, 168/2, 168/3, 168/4, 168/5, and 169/3 were observed with thin vegetation cover and partially soil exposed in the data in 23.12.2004 and under thick vegetation cover in 2011. It is stated in the report that properties in 169/1, 169/3, and 170/1 were observed with partial vegetation, exposed soil cover, and scattered trees in the data relating to 23.12.2004. Regarding property in Sy.No.169/2 also it is stated that the plot is bordered by a road in the west and was partially seen with exposed soil towards the southern part in the data of 2004 and was observed under vegetation cover in 2011. It is hence submitted that the lands regarding which objections have been raised which are situated in Sy.Nos.167/4, 168/3, and 170/1 were not observed as paddy lands even as per the KSREC report as early as 2004, which is prior to the coming into force of the 2008 Act. The counsel hence submits that there is nothing illegal in removing these properties from the data bank as it

is supported by scientific data. The counsel further submits that it can be seen from Ext.P3 that the correction was carried out to the Gazette publication made in 24.3.2012 and Ext.P3 says that the supplemental list was prepared by the Agricultural Officer before the due date and submitted to the Panchayat for approval and notification of the area furnished as garden land owned by the petitioner. Regarding Ext.P2 it is submitted that by the time Ext.P2 was issued, the filling up has already been done. It is pointed out that even in Ext.P2 what is stated is that the order was issued without getting views of other Officers and there was no direction to restore the land to the earlier position.

20. I have considered the arguments advanced on either side and the documents and evidence produced on record. I find considerable force in the contentions raised by the Senior Counsel appearing on behalf of the petitioner. In Ext.P27, this Court had given liberty to the Revenue Officers to take a decision on the violations alleged against the petitioner. The concerned authorities have, after a re-look into the matter, found that the entire properties belonging to the petitioner are to be excluded from the data bank. This Court is of the considered opinion that the said decision of the authorities does not warrant any interference by this Court in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of

India. Moreover, a roving enquiry into the aspect is not warranted at the instance of the 6<sup>th</sup> respondent who is bound by Ext.P27 judgment. The Senior Counsel appearing for the 6<sup>th</sup> respondent referred to the decision of the Hon'ble Supreme Court in **Hope Plantations Ltd. v. Taluk Land Board [1999 (5) SCC 590]** to contend that there cannot be an estoppel against a Statute. On the said legal proposition there can be no different opinion. However, what this Court is concerned with in this case is not that of estoppel against a Statute. The legal principle that stands against the 6<sup>th</sup> respondent are more in the nature of "cause of action estoppel" and "issue estoppel". The above principles have also been elaborately considered in **Hope Plantations (supra)** in paragraph 27 of the judgment. Reference was also made to the decision of the Apex Court in **Satyendra Kumar & Ors. v. Raj Nath Dubey & Ors. [(2016) 14SCC 49]** to contend that the Court cannot be precluded from deciding on a pure question of law correctly, by relying on the principles of *res judicata* and on the decision of this Court in **Kerala Bar Hotels Association v. State of Kerala [2014 (2) KLT 518]**, to contend that there cannot be an estoppel by judgment disabling the Government from re-framing their policies from time to time. Neither of the above judgments can aid the 6<sup>th</sup> respondent in any manner in a case of this nature, where the 6<sup>th</sup> respondent had in

earlier proceedings between the same parties, restricted his remedy to the aspect of drainage of water from his properties.

21. This Court is of the considered opinion that the grievance of the 6<sup>th</sup> respondent can only be with regard to the non-compliance with the directions contained in Ext.P27, as regarding the drainage of water from his property.

22. In view of the findings stated above, the writ petitions are disposed of in the following manner;

(1) In **W.P.(C)No.7037 of 2014** filed by the petitioner in W.P.(C)No.18817 of 2021, the prayer is to quash Ext.P10 order whereby the Revenue Divisional Officer had cancelled the permission granted for filing up the land on 15.2.2014. In the light of the subsequent events, no further orders are required in the above writ petition and the parties will be bound by the directions contained in Ext.P27 judgment produced in W.P.(C)No.18817 of 2021 and this judgment. The writ petition is closed.

(2) **W.P.(C)No.9722 of 2014** has been filed by the petitioner in W.P.(C)No.18817 of 2021, praying for a declaration that the properties belonging to the petitioner are 'purayidam' and for a direction to make

necessary changes accordingly in the Basic Tax Register.

The above declaration is no longer required in view of the fact that the properties belonging to the petitioner have already been removed from the data bank as per Ext.P36 notification. The writ petition is closed with the observation that the petitioner will be entitled to all the benefits based on Ext.P36 notification.

(3) **W.P.(C)No.27737 of 2014** has been filed by the 5<sup>th</sup> respondent in W.P.(C)No.18817 of 2021 praying for a declaration that the permissions granted to the petitioner for filling up the land are illegal and praying for a direction to remove the earth from the property of the petitioner in W.P.(C)No.18817 of 2021. The petitioner is not entitled to the reliefs prayed for in view of the judgment Ext.P27. The writ petition is hence dismissed.

(4) **W.P.(C)No.3360 of 2021** has been filed by the petitioner in W.P.(C)No.18817 of 2021 praying to quash Ext.P32 proceedings dated 25.1.2021 issued by the Revenue Divisional Officer rejecting the prayer made by the petitioner for removing the properties in Re-Sy.Nos.167/4, 168/3, and 170/1 from the data bank.



The above prayer is no longer relevant in view of the subsequent events and issuance of Ext.P36 Gazette notification whereby the properties have already been removed from the data bank. The writ petition is hence closed.

(5) **W.P.(C)No.12890 of 2021** has been filed by the 5<sup>th</sup> respondent in W.P.(C)No.18817 of 2021. The prayers are for directions to the petitioner in W.P.(C)No.18817 of 2021 to provide proper drainage and avoid flooding of water in his properties. There are also prayers for the restoration of the properties of the petitioner in W.P.(C)No.18817 of 2021 to their original position. None of the reliefs prayed for, except those relating to the drainage of water, can be agitated by the petitioner in W.P.(C)No.12890 of 2021 in view of the judgment Ext.P27. The prayers D,E, F, G and H are hence rejected. Regarding prayers A, B and C, the parties will be bound by the directions that follow. The writ petition is disposed of in the above manner.

(6) **W.P.(C)No.16988 of 2021** has been filed by the 5<sup>th</sup> respondent in W.P.(C)No.18817 of 2021 praying for a direction to the National Centre for Earth Science

Studies to identify the paddy and wetland in the entire property of the petitioner in W.P.(C)No.18817 of 2021 on the basis of satellite pictures available for the periods 2013, 2014 and 2015 as well as the paddy land and wetland adjoining the property of the petitioner in W.P. (C)No.18817 of 2021 which have also been converted. There is also a prayer for a direction to the Village officer, Kavumbhagom Village, and the Agricultural officer, Krishi Bhavan, Peringara to produce the records relating to the preparation of the supplementary data bank. In view of the specific finding of this Court in paragraph 20 above that the decision of the authorities to exclude the properties of the petitioner in W.P. (C)No.18817 of 2021 from the data bank does not warrant interference, no purpose will be served by granting the prayers in this writ petition. The writ petition is hence dismissed.

(7) **W.P.(C)No.18817 of 2021** has been filed seeking to quash Ext.P37 order issued by the 5<sup>th</sup> respondent rejecting the prayer made for regularisation of the building which has been constructed by the petitioner on the reason that the request can be considered only after

orders are issued regarding the nature of the lands belonging to the petitioner. In view of Ext.P36 notification, the objection raised in Ext.P37 no longer survives. The 5<sup>th</sup> respondent is directed to reconsider the request made by the petitioner for regularisation of his building and for numbering the same in accordance with the law, treating that the properties on which the building has been constructed are not paddy land or wetland as defined in the 2008 Act. There are further prayers to quash Exts.P18 and P2. Ext.P18 is the order dated 8.3.2018 issued by the 1<sup>st</sup> respondent directing consideration of the application for conversion of the properties in Re-Sy.Nos.167/3-1, 169/4-1, 168/4, 169/3, 169/1, 168/2, 168/5, and 169/2 on receipt of an application under Section 27A of the 2008 Act, if filed. There is a direction to the Revenue Divisional Officer to pass necessary orders in compliance with the judgment in W.P.(C)No.7037 of 2014 and further direction to restore the properties in Re-Sy.Nos.167/4, 168/3, and 170/1 to their original position. In view of the subsequent events and Ext.P36 notification whereby the entire properties belonging to the petitioner have been

removed from the data bank, there is no further justification for the directions contained in Ext.P18. Ext.P18 is hence quashed. Ext.P2 is the order dated 23.1.2007 issued by the District Collector whereby the permission granted to the petitioner to fill up the land was cancelled. Since the properties have already been declared not to be paddy land or wetland, Ext.P2 cannot be sustained and is hence quashed.

23. In Ext.P27 judgment, this Court had directed the Advocate Commissioner to supervise the construction of the drainage by the petitioner in W.P.(C)No.18817 of 2021 to avoid water leakage in the properties of the 5<sup>th</sup> respondent in W.P.(C)No.18817 of 2021. The Advocate Commissioner has submitted an interim report wherein it is stated that he had taken up the issue with the Executive Engineer of the Minor Irrigation Department for suggesting an alternative for the construction of the drainage. It is also stated that no further action has been taken thereafter. The Advocate Commissioner appointed by this Court in Ext.P27 judgment shall take necessary steps for completing the process of putting up of the drainage. The petitioner in W.P.(C)No.18817 of 2021 is directed to carry out the construction of the drainage under the supervision of the Advocate Commissioner as already directed in Ext.P27. The concerned officials of the Minor

Irrigation Department shall provide necessary assistance to the Advocate Commissioner for carrying out the duties entrusted with the Commissioner. The petitioner in W.P.(C)No.18817 of 2021 is directed to pay a further sum of Rs.30,000/- to the Advocate Commissioner towards part remuneration. The Advocate Commissioner may issue notice to the parties as well as the concerned officials of the Minor Irrigation Department and proceed to get the work completed through the petitioner in W.P.(C)No.18817 of 2021, at the earliest at any rate, within three months from the date of receipt of a copy of this judgment. The writ petition is accordingly disposed of.

24. For the purpose of carrying out the work, if the Advocate Commissioner requires further orders, he may bring up the matter by filing appropriate applications in W.P.(C)No.18817/2021.

Sd/-

**T.R.RAVI  
JUDGE**

dsn

**APPENDIX OF WP(C) 7037/2014**

PETITIONER EXHIBITS

- EXHIBIT-P1: TRUE COPY OF THE ORDER OF THE 1ST RESPONDNT  
DATED 12.6.2006.
- EXHIBIT-P2: TRUE COPY OF THE CERTIFICATE OF THE AGRICULTURAL  
OFFICER DATED 14.3.2013.
- EXHIBIT-P3: TRUE COPY OF THE RELEVANT PORTION OF THE DATA  
BANK.
- EXHIBIT-P3(A): TRUE COPY OF THE SUPPLEMENTARY LIST.
- EXHIBIT-P4: TRUE COPY OF THE ORDER OF THE R.D.O. DATED  
24.7.2013.
- EXHIBIT-P5: TRUE COPY OF THE BUILDING PERMIT DATED  
28.1.2014.
- EXHIBIT-P6: TRUE COPY OF THE PERMISSION OF DISTRICT TOWN  
PLANNER DATED 1.8.2013.
- EXHIBIT-P7: TRUE COPY OF THE PERMISSION OF CHIEF TOWN  
PLANNER DATED 24.1.2014.
- EXHIBIT-P8: TRUE COPY OF THE LETTER OF THE GRAMA PANCHAYATH.
- EXHIBIT-P9: TRUE COPY OF THE ORDER OF THE R.D.O. DATED  
15.02.2014.
- EXHIBIT-P10: TRUE COPY OF THE ORDER OF THE R.D.O. DATED  
3.3.2014.
- EXHIBIT-P11: TRUE COPY OF THE REQUEST OF THE PETITIONER DATED  
7.3.2014.

**APPENDIX OF WP (C) 9722/2014**

PETITIONER EXHIBITS

EXHIBIT P1	COPY OF THE ORDER OF THE IST RESPONDENT DATED 12.6.2006.
EXHIBIT P2	COPY OF THE CERTIFICATE OF THE AGRICULTURAL OFFICER DATED 14.3.2013
EXHIBIT P3	COPY OF THE RELEVANT PORTION OF THE DATA BANK.
EXHIBIT P3 (a)	COPY OF THE SUPPLEMENTARY LIST.
EXHIBIT P4	COPY OF THE ORDER OF THE R.D.O.DATED 24.7.2013
EXHIBIT P5	COPY OF THE BUILDING PERMIT DATED 28.1.2014
EXHIBIT P6	COPY OF THE PERMISSION OF DISTRICT TOWN PLANNER DATED 1.8.2013
EXHIBIT P7	COPY OF THE PERMISSION OF CHIEF TOWN PLANNER DATED 24.1.2014
EXHIBIT P8	COPY OF THE LETTER OF THE GRAMA PANCHAYATH
EXHIBIT P9	COPY OF THE REQUEST OF THE PETITIONER DATED 30.03.2014.

**APPENDIX OF WP (C) 27737/2014**

PETITIONER EXHIBITS

- EXHIBIT P1. TRUE COPY OF THE PROCEEDINGS DATED 12.06.2006  
ISSUED BY THE DEPUTY COLLECTOR, PATHANAMTHITTA.
- EXHIBIT P2. TRUE COPY OF THE PROCEEDINGS NO.A3/719/14 DATED  
15.02.2014 ISSUED BY THE REVENUE DIVISIONAL,  
THIRUVALLA.
- EXHIBIT P3. TRUE COPY OF THE ORDER NO.A3/719/14 DATED  
03.03.2014 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P4. TRUE COPY OF THE COMPLAINT DATED 26.08.2014 FILED  
BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXHIBIT P5. TRUE COPY OF THE REPLY DATED 22.09.14 ISSUED BY  
THE 2ND RESPONDENT.
- EXHIBIT P6. TRUE PHOTOGRAPHS SHOWING THE EXISTENCE OF WATER  
STREAM PRIOR TO THE RECLAMATION OF THE PROPERTY.
- EXHIBIT P7: TRUE COPY OF APPLICATION SUBMITTED BY THE  
PETITIONER BEFORE THE 2ND RESPONDENT ON 1.9.2015.
- EXHIBIT P8: TRUE COPY OF APPLICATION SUBMITTED BY THE  
PETITIONER BEFORE THE 2ND RESPONDENT ON 15.9.3015
- EXHIBIT P9: TRUE COPY OF CERTIFICATE ISSUED BY THE  
AGRICULTURAL OFFICER, PERINGARA TO THE PETITIONER  
UNDER THE RTI ACT
- EXHIBIT P10: TRUE COPY OF CERTIFICATE ISSUED BY THE  
INFORMATION OFFICER, KAVUMBHAGAM VILLAGE TO THE  
PETITIONER.

EXHIBIT P7 (PRODUCED ALONG WITH REPLY AFFIDAVIT):

TRUE COPY OF LETTER DT.11.3.2014 ISSUED BY THE  
RDO, THIRUVALLA TO THE SECRETARY PERINGARA GRAMA  
PANCHAYAT.

**RESPONDENTS' EXTS:**

- EXT.R5 (A) : TRUE COPY OF ORDER OF THE 1ST RESPONDENT  
DT.12.6.2006
- EXT.R5 (B) : TRUE COPY OF CERTIFICATE OF THE AGRICULTURAL  
OFFICER DT.14.3.2013
- EXT.R5 (C) : TRUE COPY OF RELEVANT PORTION OF THE DATA BANK
- EXT.R5 (D) : TRUE COPY OF THE SUPPLEMENTARY LIST
- EXT.R5 (E) : TRUE COPY OF ORDER OF THE RDO DT.24.7.13



**WP (C) 27737/2014**

EXT.R5 (F) : TRUE COPY OF BUILDING PERMIT DT.28.1.2014

EXT.R5 (G) : TRUE COPY OF PERMISSION OF DISTRICT TOWN PLANNER  
DT.1.8.13

EXT.R5 (I) : TRUE COPY OF LETTER OF THE GRAMA PANCHAYAT

EXT.R5 (J) : TRUE COPY OF ORDER OF THE RDO DT.15.2.2014

APPENDIX OF WP(C) 3360/2021

PETITIONER EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 12.6.2006 IN PROCEEDINGS NO.C4-28196/2006/K.DIS.
- EXHIBIT P2 TRUE COPY OF THE ORDER DATED 23.1.2007 IN PROCEEDINGS NO.C4-3066/2007 OF THE 1ST RESPONDENT.
- EXHIBIT P3 TRUE COPY OF THE CERTIFICATE ISSUED BY THE AGRICULTURAL OFFFICER,PERINGARA DATED 14.3.2013
- EXHIBIT P4 TRUE COPY OF THE LETTER ISSUED BY THE REVENUE DIVISIONAL OFFICER,THIRUVALLA DATED 24.7.2013 TO THE DISTRICT TOWN PLANNER,PATHANAMTHITTA
- EXHIBIT P5 TRUE COPY OF THE REPORT SUBMITTED BY THE SECRETARY PERINGARA GRAMA PANCHAYAT BEFORE THE CHIEF TOWN PLANNER
- EXHIBIT P6 TRUE COPY OF THE REPORT SUBMITTED BY TOWN PLANNER,PATHANAMTHITTA DATED 1.8.2013 BEFORE THE CHIEF TOWN PLANNER,THIRUVANANTHAPURAM
- EXHIBIT P7 TRUE COPY OF THE SANCTION GIVEN BY THE CHIEF TOWN PLANNER,THIRUVANANTHAPURAM DATED 24.1.2014
- EXHIBIT P8 TRUE COPY OF THE BUILDING PERMIT ISSUED BY THE SECRETARY PERINGARA GRAMA PANCHAYATH DATED 28.1.2014
- EXHIBIT P9 TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT BEARIN PROCEEDINGS NO.A3-719/14 DATED 15.2.2014
- EXHIBIT P10 TRUE COPY OF THE ORDER 3.3.2014 IN PROCEEDINGS NO.A3-719/14 OF 2ND RESPONDENT
- EXHIBIT P11 TRUE COPY OF THE ORDER DATED 18.3.2014 IN WRIT PETITION NO.7037/2014
- EXHIBIT P12 TRUE COPY OF THE ORER DATED 10.9.2015 IN PROCEEDING NO.C2-4581/15 PASSED BY THE 2ND RESPONDENT
- EXHIBIT P13 TRUE COPY OF THE JUDGMENT DATED 23.03.2016 IN WP(C)NO.11361/2016
- EXHIBIT P14 TRUE COPY OF THE NOTICE DATED 29.01.2018 ISSUED BY THE SECRETARY,PERINGARA GRAMA PANCHAYAT
- EXHIBIT P15 TRUE COPY OF THE ORDER DATED 11.10.2017 ISSUED BY THE 1ST RESPONDENT

WP(C) 3360/2021

- EXHIBIT P16 TRUE COPY OF THE LETTER DATED 01.11.2017 OF THE  
2ND RESPONDENT
- EXHIBIT P17 TRUE COPY OF THE INTERIM ORDER DATED 13.03.2018  
IN W.P(C)NO.8364/18
- EXHIBIT P18 TRUE COPY OF THE ORDER DATED 08.03.2018 OF THE  
1ST RESPONDENT
- EXHIBIT P19 TRUE COPY OF THE ORDER DATED 20.03.2018 IN  
WP(C)NO.9478/2018.
- EXHIBIT P20 TRUE COPY OF THE PHOTOGRAPHS OF THE CONVENTION  
CENTRE
- EXHIBIT P21 TRUE COPY OF THE COMPLETION CERTIFICATE
- EXHIBIT P22 TRUE COPY OF THE COMMUNICATION DATED 16.06.2020  
ISSUED BY THE 5TH RESPONDENT.
- EXHIBIT P23 TRUE COPY OF THE REPORT OF THE KSRSEC
- EXHIBIT P24 TRUE COPY OF THE COMMON JUDGMENT DATED 29.09.2020  
IN WP(C)NO.8364/18,9478/18,12785/18,12527/20 AND  
12734/20
- EXHIBIT P25 TRUE COPY OF THE NOTICE DATED 27.11.2020 ISSUED  
BY THE 2ND RESPONDENT
- EXHIBIT P26 TRUE COPY OF THE PROHIBITORY ORDER DATED  
01.12.2020 OF THE VILLAGE OFFICER
- EXHIBIT P27 TRUE COPY OF THE RELEVANT PAGES OF DATABANK OF  
PERINGARA PANCHAYAT
- EXHIBIT P28 TRUE COPY OF THE DRAFT OF SUPPLEMENTARY LIST OF  
DATA BANK
- EXHIBIT P29 TRUE COPY OF THE SUPPLEMENTARY LIST OF DATA BANK.
- EXHIBIT P30 TRUE COPY OF THE ORDER DATED 17.12.2020 IN  
RP.NO.943/2020
- EXHIBIT P31 TRUE COPY OF THE FORM 5 DATED 23.12.2020
- EXHIBIT P32 TRUE COPY OF ORDER DATED 25.01.2021 OF THE 2ND  
RESPONDENT.
- EXHIBIT P33 TRUE COPY OF ORDINARY GAZETTE NOTIFICATION  
DT.23.5.2021 IN BEARING NO.A2.274/2021 PASSED BY  
THE 4TH RESPONDENT.

**WP (C) 3360/2021**

**RESPONDENTS' EXTS:**

- EXT.R6(1) : PHOTOGRAPHS OF THE PROPERTIES OF THE PETITIONER TAKEN IN 2014
- EXT.R6(2) : TRUE COPY OF NEWS REPORT IN RESPECT OF THE ILLEGAL RECLAMATION OF THE PETITIONER PUBLISHED IN THE MALAYALA MANORAMA NEWS DAILY DT.30.3.14
- EXT.R6(3) (A) : TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE PETITIONER FOR THE YEAR (WITH MONTH) 1/2013
- EXT.R6(3) (B) : TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE PETITIONER FOR THE YEAR (WITH MONTH) 12/2013
- EXT.R6(3) (C) : TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE PETITIONER FOR THE YEAR (WITH MONTH) 11/2015
- EXT.R6(3) (D) : TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE PETITIONER FOR THE YEAR (WITH MONTH) 1/2019
- EXT.R6(4) : TRUE COPY OF SATELLITE IMAE FOR THE YEAR 2013 PERTAINING TO PEROPERTY OF THE PETITONER ALONG WITH SOME SURVEY NUMBERS
- EXT.R6(5) : TRUE COPY OF SATELLITE PICTURES OF THE YEAR 2013 IN RESPECT OF THE PROPERTIES OF THE PETITIONER WITH MEASUREMENTS
- EXT.R6(6) : TRUE COPY OF SATELLITE PICTURES OF THE YEAR 2015 IN RESPECT OF PROPERTIES OF THE PETITIONER WITH MEASUREMENTS
- EXT.R6(7) : TRUE COPY OF REPORT No.KPB 5/2017-18 DT.23.2.2018 OF THE AGRICULTURAL OFFICER, PERINGARA.

**APPENDIX OF WP (C) 12890/2021**

PETITIONER EXHIBITS

- Exhibit P1 THE TRUE COPY OF PROCEEDINGS NO C4-28196/2006K.DIS DATED 12-06-2006 ISSUED BY THE DEPUTY COLLECTOR IN -CHARGE OF DISTRICT COLLECTOR, PATHANAMTHITTA.
- Exhibit P2 THE TRUE COPY OF PROCEEDINGS NO. A3-719/14 DATED 15-02-2014 OF THE 2ND RESPONDENT
- Exhibit P3 THE TRUE COPY OF ORDER NO. A3/719/14 DATED 03-03-2014 OF THE 2ND RESPONDENT
- Exhibit P4 THE TRUE COPY OF COMPLAINT DATED 26-08-2014 PREFERRED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- Exhibit P5 THE TRUE COPY OF PHOTOGRAPHS OF THE PROPERTIES OF THE 9TH RESPONDENT TAKEN IN 2014
- Exhibit P6 THE TRUE COPY OF NEWS REPORT IN RESPECT OF THE ILLEGAL RECLAMATION OF THE 9TH RESPONDENT PUBLISHED IN THE MALAYALA MANORAM NEWS DAILY
- Exhibit P7 THE TRUE COPY OF ORDER NO. C4-16808/2014 DATED 08-03-2018 ISSUED BY THE FIRST RESPONDENT
- Exhibit P8 THE TRUE COPY OF LETTER NO. A-B2-312/18DATED 02-05-2018 SUBMITTED BY THE 6TH RESPONDENT TO THE FIRST RESPONDENT.
- Exhibit P9 THE TRUE COPY OF INTERIM ORDER DATED 20-03-2018 IN W.P.C NO. 9478/2018 OF THIS HON'BLE COURT
- Exhibit P10 THE TRUE COPY OF COMMON JUDGMENT DATED 29-09-2020 IN W.PC. NO. 12527/2020, W.P. NO. 8364/2018, W.P.C NO. 9478/2018, W.P.C NO. 12785/2018 AND W.P.C NO. 12734/2020 OF THIS HON'BLE COURT
- Exhibit P11 THE TRUE COPY OF INTERIM ORDER DATED 18-03-2014 IN W.P(C) NO. 7037/2014 OF THIS HON'BLE COURT.
- Exhibit P12 THE TRUE COPY OF REPORT NO. K.P.B 5/2017-18 DATED 23-02-2018 OF THE 7TH RESPONDENT
- Exhibit P13 THE TRUE COPY OF NOTICE NO. A3-2595/2016 DATED 27-11-2020 OF THE 2ND RESPONDENT/SUB COLLECTOR.
- Exhibit P14 THE TRUE COPY OF ORDER NO 259/2020 DATED 01-12-2020 OF THE 4TH RESPONDENT ISSUED TO THE 9TH RESPONDENT

**WP (C) 12890/2021**

- Exhibit P15 THE TRUE COPY OF THE SO CALLED DRAFT OF THE SUPPLEMENTARY LIST OF DATABANK ISSUED BY THE 7TH RESPONDENT AND PRODUCED BY THE 8TH RESPONDENT IN REVIEW PETITIONS NO. 941/2020, 942/2020 AND 943/2020 BEFORE THIS HON'BLE COURT.
- Exhibit P16 THE TRUE COPY OF THE SO CALLED SUPPLEMENTARY LIST OF DATA BANK PURPORTEDLY ISSUED BY THE 7TH RESPONDENT AND PRODUCED BY THE 9TH RESPONDENT IN REVIEW PETITIONS NO. 941/2020 AND 943/2020 BEFORE THIS HON'BLE COURT.
- Exhibit P17 THE TRUE COPY OF CERTIFICATE DATED 14-03-2013 ISSUED BY THE THEN AGRICULTURAL OFFICER, PERINGARA
- Exhibit P18 THE TRUE COPY OF INTERIM ORDER DATED 17-12-2020 IN REVIEW PETITION NO. 943/2020 OF THIS HON'BLE COURT
- Exhibit P19 THE TRUE COPY OF SALELLITE REPORT OF THE 8TH RESPONDENT IN RESPECT OF THE PROPERTIES OF THE 9TH RESPONDENT
- Exhibit P20 (A) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 1/2003
- Exhibit P20 (B) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 12/2004
- Exhibit P20 (C) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 12/2013
- Exhibit P20 (D) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 11/2015
- Exhibit P20 (E) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 1/2016
- Exhibit P20 (F) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 2/2018

**WP (C) 12890/2021**

- Exhibit P20 (G) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 1/2019
- Exhibit P20 (H) THE TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 9TH RESPONDENT FOR THE YEAR (WITH MONTH) 1/2020
- Exhibit P21 THE TRUE COPY OF SATELLITE IMAGE FOR THE YEAR 2013 PERTAINING TO PROPERTY OF THE 9TH RESPONDENT ALONG WITH SOME SURVEY NUMBERS
- Exhibit P22 THE TRUE COPY OF SATELLITE IMAGE FOR THE YEAR 2013 PERTAINING TO PROPERTY OF THE 9TH RESPONDENT WITH MEASUREMENTS
- Exhibit P23 THE TRUE COPY OF SATELLITE PICTURES OF THE YEAR 2015 IN RESPECT OF THE PROPERTIES OF THE 9TH RESPONDENT WITH MEASUREMENTS
- Exhibit P24 THE TRUE COPY OF INTERIM COMMISSION REPORT DATED 07-01-2021 FILED BY THE ADVOCATE COMMISSIONER BEFORE THIS HON'BLE COURT IN W.P(C) NO. 12527/2020
- Exhibit P25 THE TRUE COPY OF PRESENT STATE OF THE PROPERTY OF THE PETITIONER IN AN INUNDATED STAGE
- Exhibit P26 PHOTOGRAPHS SHOWING THE BOUNDARY SEPARATING THE PROPERTY OF THE PETITIONER AND 9TH RESPONDENT SIGNIFYING THAT NO SPACE WAS LEFT IN BETWEEN BY THE 9TH RESPONDENT
- Exhibit P27 THE TRUE COPY OF REQUEST DATED 15-01-2021 REFERRED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- Exhibit P28 THE TRUE COPY OF INTERIM ORDER DATED 13-01-2021 IN R.P NO. 943/2020 IN W.PC NO 12734/2020 OF THIS HON'BLE COURT
- Exhibit P29 THE TRUE COPY OF ORDER NO. 2933/20/A3 DATED 25-01-2021 OF THE 2ND RESPONDENT
- Exhibit P30 THE TRUE COPY OF ORDER DATED 10-03-2020 IN REVIEW PETITIONS NO. 941/2020, 942/2020 AND 943/2020 OF THIS HON'BLE COURT.

**APPENDIX OF WP(C) 16988/2021**

PETITIONER EXHIBITS

- Exhibit P1 THE TRUE COPY OF PROCEEDINGS NO.C4-28196/2006K.DIS DATED 12.06.2006 ISSUED BY THE DEPUTY COLLECTOR IN -CHARGE OF DISTRICT COLLECTOR, PATHANAMTHITTA
- Exhibit P2 THE TRUE COPY OF PROCEEDINGS NO.A3-719/14 DATED 15.02.2014 OF THE 2ND RESPONDENT
- Exhibit P3 THE TRUE COPY OF ORDER NO.A3/719/14 DATED 03.03.2014 OF THE 2ND RESPONDENT
- Exhibit P4 THE TRUE COPY OF COMPLAINT DATED 26.08.2014 PREFERRED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- Exhibit P5 THE PHOTOGRAPHS OF THE PROPERTIES OF THE 13TH RESPONDENT TAKEN IN 2014
- Exhibit P6 THE TRUE COPY OF NEWS REPORT IN RESPECT OF THE ILLEGAL RECLAMATION OF THE 13TH RESPONDENT PUBLISHED INT HE MALAYALA MANORAMA NEWS DAILY ON 30.03.2014
- Exhibit P7 THE TRUE COPY OF ORDER NO.C4-16808/2014 DATED 08.03.2018 ISSUED BY THE 1ST RESPONDENT
- Exhibit P8 THE TRUE COPY OF LETTER NO.A-B2-312/18 DATED 02.05.2018 SUBMITTED BY THE 8TH RESPONDENT TO THE 1ST RESPONDENT
- Exhibit P9 THE TRUE COPY OF INTERIM ORDER DATED 20.03.2018 IN WPC NO.9478/2018 OF THIS HON'BLE COURT
- Exhibit P10 THE TRUE COPY OF COMMON JUDGMENT DATED 29.09.2020 IN WPC NO.12527/2020, WPC NO.8364/2018, WPC NO.9478/2018,WPC NO.12785/2018 AND WPC NO.12734/2020 OF THIS HON'BLE COURT
- Exhibit P11 THE TRUE COPY OF INTERIM ORDER DATED 18.03.2014 IN WPC NO.7037/2014 OF THIS HON'BLE COURT
- Exhibit P12 THE TRUE COPY OF REPORT NO.K.PB.5/2017 -18 DATED 23.02.2018 OF THE 9TH RESPONDENT
- Exhibit P13 THE TRUE COPY OF THE NO.A3-2595/2016 DATED 27.11.2020 OF THE 2ND RESPONDENT/SUB COLLECTOR
- Exhibit P14 THE TRUE COPY OF ORDER NO.259/2020 DATED 01.12.2020 ISSUED BY THE 5TH RESPONDENT TO THE 13TH RESPONDENT



**WP (C) 16988/2021**

- Exhibit P15 THE TRUE COPY OF SO CALLED DRAFT OF THE SUPPLEMENTARY LIST OF DATA BANK ISSUED BY THE 9TH RESPONDENT AND PRODUCED BY THE 13TH RESPONDENT IN REVIEW PETITIONER NO.941/2020 , 942/2020 AND 943/2020 BEFORE THE HON'BLE COURT
- Exhibit P16 THE TRUE COPY OF SO CALLED DRAFT OF THE DATA BANK PURPORTEDLY ISSUED BY THE 9TH RESPONDENT AND PRODUCED BY THE 13TH RESPONDENT IN REVIEW PETITIONER NO.941/2020 , 942/2020 AND 943/2020 BEFORE THE HON'BLE COURT
- Exhibit P17 THE TRUE COPY OF CERTIFICATE DATED 14.03.2012 ISSUED BY THE THEN AGRICULTURAL OFFICER, PERINGARA
- Exhibit P18 TRUE COPY OF THE INTERIM ORDER DATED 17.12.2020 IN REVIEW PETITIONS NO.941/2020, 942/2020 AND 943/2020. THE TRUE COPY OF INTERIM ORDER DATED 17.12.2020 INTERVIEW PETITION NO.943/2020 OF THIS HON'BLE COURT
- Exhibit P19 TRUE COPY OF SATELLITE REPORT OF THE 11TH RESPONDENT IN RESPECT OF THE PROPERTIES OF THE 13TH RESPONDENT
- Exhibit P20A TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 13TH RESPONDENT FOR THE YEAR (WITH MONTH)1/2003
- Exhibit P20B TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 13TH RESPONDENT FOR THE YEAR (WITH MONTH)12/2013
- Exhibit P20C TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 13TH RESPONDENT FOR THE YEAR (WITH MONTH) 111/2015
- Exhibit P20D TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 13TH RESPONDENT FOR THE YEAR (WITH MONTH) 1/2016
- Exhibit P20E TRUE COPY OF SATELLITE IMAGE PERTAINING TO PROPERTY OF THE 13TH RESPONDENT FOR THE YEAR (WITH MONTH) 2/2018
- Exhibit P21 TRUE COPY OF SATELLITE IMAGE FOR THE YEAR 2013 PERTAINING TO PROPERTY OF THE 13TH RESPONDENT ALONG WITH SURVEY NUMBERS

**WP (C) 16988/2021**

- Exhibit P22 THE TRUE COPY OF SATELLITE PICTURES OF THE YEAR 2013 IN RESPECT OF THE PROPERTIES OF THE 13TH RESPONDENT WITH MEASUREMENTS
- Exhibit P23 THE TRUE COPY OF SATELLITE PICTURES OF THE YEAR 2015 IN RESPECT OF THE PROPERTIES OF THE 13TH RESPONDENT WITH MEASUREMENTS
- Exhibit P24 TRUE COPY OF INTERIM COMMISSION REPORT DATED 07.01.2021 FILED BY THE ADVOCATE COMMISSIONER BEFORE THIS HON'BLE COURT IN WPC NO.12527/2020
- Exhibit P25 THE TRUE COPY OF INTERIM ORDER DATED 13.01.2021 IN RP BO.943/202 IN WPC NO.12734/2020 OF THIS HON'BLE COURT
- Exhibit P26 THE TRUE COPY OF ORDER NO.2933/20/A3 DATED 25.01.2021 OF THE 2ND RESPONDENT
- Exhibit P27 THE TRUE COPY OF ORDER DATED 10.03.2021 IN REVIEW PETITIONS N.941/2020, 942/2020 AND 943/2020 OF THIS HON'BLE COURT
- Exhibit P28 THE TRUE COPY OF KERALA EXTRAORDINARY GAZETTE NO.A.2.274/2021 DATED 23.06.2021

**RESPONDENTS' EXTS:**

- EXT.R13 (A) TRUE COPY OF SALE DEED EXECUTED BY THE PETITIONER IN FAVOUR OF THE 13TH RESPONDENT
- EXT.R13 (B) TRUE COPY OF LETTER ISSUED BY THE REVENUE DIVISIONAL OFFICER, THIRUVALLA DT.24.7.2013
- EXT.R13 (C) TRUE COPY OF JUDGMENT DT.23.3.2016 IN WPC 11361/2016
- EXT.R13 (D) TRUE COPY OF GOOGLE EARTH IMAGE OF THE YEAR 2011
- EXT.R13 (E) TRUE COPY OF GOOGLE EARTH IMAGE OF THE YEAR 2012

**APPENDIX OF WP (C) 18817/2021**

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 12.6.2006 IN PROCEEDINGS NO. C4-28196/2006 .K.DIS.
- Exhibit P2 TRUE COPY OF THE ORDER DATED 23.1.2007 IN PROCEEDINGS NO. C4-3066/2007 OF THE 1ST RESPONDENT.
- Exhibit P3 TRUE COPY OF THE CERTIFICATE ISSUED BY THE AGRICULTURAL OFFICER, PERINGARA DATED 14.3.2013.
- Exhibit P4 TRUE COPY OF THE LETTER ISSUED BY THE REVENUE DIVISIONAL OFFICER, THIRUVALLA DATED 24.7.2013 TO THE DISTRICT TOWN PLANNER, PATHANAMTHITTA.
- Exhibit P5 TRUE COPY OF THE REPORT SUBMITTED BY THE SECRETARY, PERINGARA GRAMA PANCHAYAT BEFORE THE CHIEF TOWN PLANNER.
- Exhibit P6 TRUE COPY OF THE REPORT SUBMITTED BY TOWN PLANNER, PATHANAMTHITTA DATED 1.8.2013 BEFORE THE CHIEF TOWN PLANNER , THIRUVANANTHAPURAM.
- Exhibit P7 TRUE COPY OF THE SANCTION GIVEN BY THE CHIEF TOWN PLANNER, THIRUVANANTHAPURAM DATED 24.1.2014.
- Exhibit P8 TRUE COPY OF THE BUILDING PERMIT ISSUED BY THE SECRETARY PERINGARA GRAMA PANCHAYATH DATED 28.1.2014.
- Exhibit P9 TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT BEARING PROCEEDINGS NO. A3-719/14 DATED 15.2.2014.
- Exhibit P10 TRUE COPY OF THE ORDER DATED 3.3.2014 IN PROCEEDINGS NO. A3-719/14 OF 2ND RESPONDENT.
- Exhibit P11 TRUE COPY OF THE ORDER DATED 18.3.2014 IN WRIT PETITION NO. 7037/2014.
- Exhibit P12 TRUE COPY OF THE ORDER DATED 10.9.2015 IN PROCEEDINGS NO. C2-4581/15 PASSED BY THE 2ND RESPONDENT.
- Exhibit P13 TRUE COPY OF THE JUDGMENT DATED 23.03.2016 IN WPC NO. 11361/2016.
- Exhibit P14 TRUE COPY OF THE NOTICE DATED 29.01.2018 ISSUED BY THE SECRETARY, PERINGARA GRAMA PANCHAYAT.

**WP (C) 18817/2021**

- Exhibit P15 TRUE COPY OF THE ORDER DATED 11.10.2017 ISSUED BY THE 1ST RESPONDENT.
- Exhibit P16 TRUE COPY OF THE LETTER DATED 01.11.2017 OF THE 2ND RESPONDENT.
- Exhibit P17 TRUE COPY OF THE INTERIM ORDER DATED 13.04.2018 IN WPC NO. 8364/2018.
- Exhibit P18 TRUE COPY OF THE ORDER DATED 08.03.2018 OF THE 1ST RESPONDENT.
- Exhibit P19 TRUE COPY OF THE ORDER DATED 20.03.2018 IN WPC NO. 9478/2018.
- Exhibit P20 TRUE COPY OF THE PHOTOGRAPHS OF THE CONVENTION CENTRE.
- Exhibit P21 TRUE COPY OF THE COMPLETION CERTIFICATE.
- Exhibit P22 TRUE COPY OF THE SKETCHES.
- Exhibit P23 TRUE COPY OF THE RECEIPT DATED 30.12.2020.
- Exhibit P24 TRUE COPY OF THE COMMUNICATION DATED 16.06.2020 ISSUED BY THE 5TH RESPONDENT.
- Exhibit P25 TRUE COPY OF THE REPROT OF THE KSRSEC.
- Exhibit P26 TRUE COPY OF THE CIRCULAR DATED 24.06.2019 OF THE DIRECTOR OF PANCHAYAT.
- Exhibit P27 TRUE COPY OF THE COMMON JUDGMENT DATED 29.9.2020 IN WPC NO. 8364/18,9478/18,12785/18, 12527/20 AND 12734/20
- Exhibit P28 TRUE COPY OF THE NOTICE DATED 27.11.2020 ISSUED BY THE 2ND RESPONDENT.
- Exhibit P29 TRUE COPY OF THE PROHIBITORY ORDER DATED 01.12.2020 OF THE VILLAGE OFFICER.
- Exhibit P30 TRUE COPY OF THE RELEVANT PAGES OF DATABANK OF PERINGARA PANCHAYAT.
- Exhibit P31 TRUE COPY OF THE DRAFT OF SUPPLEMENTARY LIST OF DATA BANK.
- Exhibit P32 TRUE COPY OF THE SUPPLEMENTARY LIST OF DATA BANK.
- Exhibit P33 TRUE COPY OF THE ORDER DATED 17.12.2020 IN RP NO. 943/2020.

**WP (C) 18817/2021**

- Exhibit P34 TRUE COPY OF ORDER DATED 25.01.2021 OF THE 2ND RESPONDENT.
- Exhibit P35 TRUE COPY OF THE INTERIM ORDER DATED 10.02.2021 IN WPC NO. 3360/2021.
- Exhibit P36 TRUE COPY OF THE GAZETTE NOTIFICATION NO. A2.274/2021 DATED 23.06.2021.
- Exhibit P37 TRUE COPY OF THE ORDER NO. A2-2666/2020 DATED 02.11.2020 OF THE 5TH RESPONDENT.
- Exhibit P38 TRUE COPY OF THE ORDER DATED 10.03.2021 IN RP NO. 941/2020.
- Exhibit P39 TRUE COPY OF THE SALE DEED EXECUTED BY THE 6TH RESPONDENT IN FAVOUR OF THE PETITIONER.

**RESPONDENTS' EXTS:**

- EX.R5 (A) TRUE COPY OF ORDER C.4.28196/2006 K.DIS.  
DT.12.6.2006 ISSUED BY THE DEPUTY COLLECTOR (GENERAL)  
PATHANAMTHITTA
- EX.R5 (B) TRUE COPY OF LETTER DT.27.5.16 OF THE DISTRICT  
COLLECTOR, PATHANAMTHITTA
- EX.R5 (C) TRUE COPY OF LETTER DT.26.9.16 OF THE PERINGARA GRAMA  
PANCHAYAT
- EX.R5 (D) TRUE COPY OF LETTER DT.30.12.19 TO THE VILLAGE  
OFFICE, KAVUMBHAGOM
- EX.R5 (E) TRUE COPY OF LETTER NO.A2-5047/19 DT.18.12.2019 FROM  
THE 4TH RESPONDENT TO THE PETITIONER
- EX.R5 (F) TRUE COPY OF LETTER NO.A2-50 DT.16.6.2020 FROM THE  
4TH RESPONDENT TO THE PETITIONER
- EX.R5 (G) TRUE COPY OF LETTER NO.AAG-RT/8364/2018/WPC  
DT.29.9.2020 BY THE GOVT.PLEADER TO THE DISTRICT  
COLLECTOR
- EX.R5 (H) TRUE COPY OF LETTER NO.C416808/14 DT.10.11.2020 SENT  
BY THE DISTRICT COLLECTOR, PATHANAMTHITTA
- EX.R5 (I) TRUE COPY OF RESOLUTION NO.9/1 DT.23.2.2021
- EX.R5 (J) TRUE COPY OF CERTIFICATE DT.14.3.2013 ISSUED BY THE  
3RD RESPONDENT.
- EX.R5 (K) TRUE COPY OF LETTER NO.A2-274/18 DT.16.8.2021 SENT BY  
THE SECRETARY, PERINGARA GRAMA PANCHAYAT TO THE RDO,  
THIRUVALLA.