



GOVERNMENT OF KERALA
Abstract

Local Self Government Department – Judgment dated 01.12.2015 of Hon'ble High Court of Kerala in WP(C) No.9594/2015 filed by Al- Irshad Islamic Trust, represented by its Chairman, Sri. K.Mohammed – Compliance of Court direction - Orders issued.

LOCAL SELF GOVERNMENT (RB) DEPARTMENT

G.O.(Rt) No.1902/2020/LSGD.

Dated, Thiruvananthapuram, 14/10/2020.

- Read: -
1. Judgment dated 01.12.2015 of Hon'ble High Court in WP(C) No. 9594/2015 filed by Al- Irshad Islamic Trust, represented by its Chairman, Sri.K.Mohammed.
 2. Report No. CTPVIG/187/16 dated 14.03.2016 of Chief Town Planner, (Vigilance).
 3. Government letter No.931724/RB3/2016/LSGD dated 15.02.2017.
 4. Letter No.PDPA/11/2020-21 dated 09.10.2020 from the Agriculture Officer, Krishi Bhavan, Perumpadappu, Malappuram.

ORDER

The Hon'ble High Court of Kerala in its judgment read as 1st paper above, directed the 1st respondent, ie, Government, to pass orders on the basis of actual lie of the land to be found in the site inspection within a period of two months from the date of receipt of a copy of the judgment.

2) As directed by the Government, the Chief Town Planner (Vigilance) conducted a site inspection, and as per the 2nd paper read above reported that the said land is planted with coconut trees of age more than 20 years and the adjacent roads are almost at the same level and actually the land is filled and converted years back and the actual lie of the property cannot be considered as paddy field or wetland. Revenue Department has also opined that the issue originated as a result of wrong entry in the Data bank and the LLMC/ Secretary, Gramapanchayat have power to correct the same on verification. Further direction was given to the Secretary/LLMC Perumpadappu Grama Panchayat to verify the said property and to take action to exclude the property from data bank, if it is wrongly arrayed in data bank and report to Government, vide letter read as 3rd paper above.

3) The Agriculture Officer, in his letter read as 4th paper above, has reported that as per the data Bank, the whole land under the survey number is shown as converted in the year 1995 and no action has been taken yet to remove the survey number from data bank, since the status in the data bank is converted. .

4) Government have examined the matter in detail. It is found that the land is filled and converted years back and the actual lie of the property cannot be considered as paddy field or wetland and the issue originated as a result of wrong entry in the Data bank. Since LLMC/Gramapanchayat have power to correct the wrong entries in

the data bank on verification, action has to be taken by the LLMC/Gramapanchayat concerned.

5) In the above circumstances, the Secretary/LLMC Perumpadappu Gramapanchayat are directed to exclude the property from data bank, if it is wrongly arrayed, since the status of the property in the data bank is converted in the year 1995. They are also directed to furnish the Action Taken Report in the matter to Government within 2 weeks.

6) The direction contained in the judgment read as 1st paper above, is complied with accordingly.

(By Order of the Governor)
SAJUKUMAR. N
Deputy Secretary to Government

Sri. K. Mohammed, Chairman, Al- Irshad Islamic Trust, Makkalikkal House,
Ayroor, Malappuram.

The Advocate General, Kerala, Ernakulam. (with C/L)

The Chief Town Planner (Vigilance), Thiruvananthapuram

The Secretary, Perumpadappu Gramapanchayat

The Agriculture Officer, Krishi Bhavan, Perumpadappu, Malappuram

The Convenor, Local Level Monitoring Committee, Perumpadappu

(Through the Secretary, Perumpadappu Gramapanchayat)

The Executive Director, Information Kerala Mission, Thiruvananthapuram.

(for publishing the order in the website)

Stock File/ Office Copy.

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Section Officer