



WA NOS.1154 & 1170 OF 2025

:1:

2025:KER:38016

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR. JUSTICE P.M.MANOJ

FRIDAY, THE 30TH DAY OF MAY 2025 / 9TH JYAISHTA, 1947

WA NO. 1154 OF 2025

AGAINST THE ORDER DATED 04.03.2025 IN RP NO.660 OF 2024 OF
HIGH COURT OF KERALA

APPELLANTS/REVIEW PETITIONERS/RESPONDENTS 1 & 2 IN WP(C) :

- 1 THE TAHSILDAR,
LAND RECORDS), TALUK OFFICE, PALACE ROAD, THRISSUR,
PIN - 680020
- 2 THE VILLAGE OFFICER,
MARATHAKKARA VILLAGE, MARATHAKKARA P.O., THRISSUR
DISTRICT, PIN - 680306

BY ADV SPECIAL GOVERNMENT PLEADER SRI.S.RENJITH

RESPONDENT/RESPONDENT/PETITIONER IN WP(C) :

MANANCHIRA TOWNSHIP COMPLEX PVT.LTD.
A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 2013
REGISTERED OFFICE AT VII/705D, NH 47, BYE-PASS,
KUNDANNUR JUNCTION, MARADU P.O., KOCHI, REPRESENTED BY
ITS PROJECT MANAGER, JOSEPH MARIADAS, S/O. JOSEPH,
PIN - 682304

ADV SRI.BINOY VASUDEVAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 30.05.2025,
ALONG WITH WA.1170/2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



WA NOS.1154 & 1170 OF 2025

:2:

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE A.K.JAYASANKARAN NAMBIAR

&

THE HONOURABLE MR. JUSTICE P.M.MANOJ

FRIDAY, THE 30TH DAY OF MAY 2025 / 9TH JYAISHTA, 1947

WA NO. 1170 OF 2025

AGAINST THE ORDER/JUDGMENT DATED 21.01.2025 IN RP NO.705 OF
2024 OF HIGH COURT OF KERALA

APPELLANTS/REVIEW PETITIONERS/RESPONDENTS 1 & 5 IN WP(C):

- 1 STATE OF KERALA
 REPRESENTED BY SECRETARY, DEPARTMENT OF REVENUE,
 GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.,
 PIN - 695001
- 2 THE DISTRICT COLLECTOR
 THRISSUR, CIVIL STATION, AYYANTHOL, THRISSUR.,
 PIN - 680003
- 3 THE REVENUE DIVISIONAL OFFICER
 THRISSUR, CIVIL STATION, AYYANTHOL, THRISSUR.,
 PIN - 680003
- 4 THE TAHSILDAR (LR)
 THRISSUR TALUK, TOWN HALL, PALACE ROAD, CHEMBUKKAVU,
 THRISSUR., PIN - 680020
- 5 THE VILLAGE OFFICER
 MARATHAKKARA VILLAGE OFFICE, MARATHAKKARA -
 PUZHAMPALLAM ROAD, MARATHAKKARA, THRISSUR.,
 PIN - 680306

BY ADV SPECIAL GOVERNMENT PLEADER SRI.S.RENJITH



WA NOS.1154 & 1170 OF 2025

:3:

2025:KER:38016

RESPONDENT/RESPONDENT/PETITIONER IN WP(C):

MANANCHIRA TOWNSHIP COMPLEX PVT LTD
A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 2013,
REGISTERED OFFICE AT VII/705D, NH 47, BYE-PASS,
KUNDANNUR JUNCTION, MARADU P O, KOCHI, REPRESENTED BY
MARIADAS, PROJECT MANAGER., PIN - 682304

BY ADV SRI.BINOY VASUDEVAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 30.05.2025,
ALONG WITH WA.1154/2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



(CR)

JUDGMENT**Dr. A.K.Jayasankaran Nambiar, J.**

As both these Writ Appeals deal with the same issue, they are taken up for consideration together and disposed by this common judgment.

2. WA No.1154 of 2025 impugns the order dated 04.03.2025 in RP No.660 of 2024, which in turn arises from WP(C).No.1397 of 2024. WA No.1170 of 2025, on the other hand, impugns the order dated 21.01.2025 in RP No.705 of 2024, which stems from WP(C).No.21925 of 2020.

3. WP(C).No.21925 of 2020 was preferred by the respondent herein, who had obtained the land in question under assignment deeds. In the said Writ Petition, the case of the respondent herein was that the land of the respondent was shown as paddy land in the revenue records, whereas it was actually reclaimed much prior to the coming into force of the Kerala Conservation of Paddy Land and Wetland Act, 2008. The land was apparently converted after obtaining the necessary permissions from the competent authorities under the Kerala Land Utilisation Order, 1967. The corresponding orders under the Kerala Land Utilisation Order were issued in the year 1995. It was when faced with a situation where, after the coming into force of the 2008 Act, the respondent could not mortgage the land on account of its erroneous categorisation as paddy land in the revenue records, that he approached this Court through WP(C).No.21925 of 2020 seeking directions to the revenue



authorities to effect the necessary corrections in the revenue records.

4. A learned Single Judge, who considered the Writ Petition took note of the judgment of this Court in **Renji K Paul v. Revenue Divisional Officer [2019 (2) KLT 262]** as also the judgment in **Ipe Varghese v. Revenue Divisional Officer [2020 (5) KLT 403]**, together with the orders that had been obtained by the respondent/ his predecessor under the Kerala Land Utilisation Order, and found that the land belonging to the respondent merited classification as a puramboke land. The respondent was, therefore, permitted to prefer an application for reassessment of the land and for correction of the classification of the said land in the revenue records as purayidom/dry land. The revenue authorities were also directed to consider the applications and to carry out the corrections as directed by the learned Single Judge.

5. It would appear that in purported compliance with the directions of the learned Single Judge in the Writ Petition referred above, the Tahsildar by an order dated 18.03.2021 (produced as Ext.P12 in WP(C).No.21925 of 2020) directed reclassification of the land as “Converted homestead” and ordered the collection of land tax based on the said category change. Finding that the said order passed by the Tahsildar was not in strict compliance with the directions in the judgment dated 03.11.2020 of the learned Single Judge in WP(C).No.21925 of 2020, the respondent herein once again approached this Court through WP(C).No.1397 of 2024. This time around, another learned Single Judge, who considered the Writ Petition found that the directions in the



earlier judgment of this Court in WP(C).No.21925 of 2020 were clear and unambiguous inasmuch as it had directed a reassessment of the land as purayidom/dry land. The learned Judge, therefore, found that it was not open to the Tahsildar to have corrected the description as “converted homestead” or “land the character of which has been changed” etc. The learned Judge also observed that the action of the Tahsildar was mischievous. The learned Single Judge, thereafter, allowed the Writ Petition by quashing the order dated 18.03.2021 of the Tahsildar and directed him to pass a fresh order by assessing the land as Purayidom/dry land in terms of the directions in the earlier judgment dated 03.11.2020 in WP(C).No.21925 of 2020.

6. We are told that the Tahsildar in question has since passed an order dated 11.06.2024 in blatant violation of even the direction of the learned Single Judge in the judgment dated 28.02.2024 in WP(C).No.1397 of 2024. Since we are informed by the learned counsel for the respondent herein that contempt proceedings have been initiated before the learned Single Judge against the last mentioned order passed by the Tahsildar, we do not intend to state anything with regard to the legality of the said order passed by the Tahsildar. At this stage, we might only express our surprise and disapproval of the manner in which the Tahsildar has chosen to act in the face of positive directions issued from this Court.

7. Probably with a view to salvage the situation, and justify the actions of the Tahsildar, the State chose to file Review Petitions, not only



against the earlier judgment of the learned Single Judge in WP(C).No.21925 of 2020 but also against the subsequent judgment of the learned Single Judge in WP(C).No.1397 of 2024. The first Review Petition, namely, R.P No.705 of 2024 was dismissed by the learned Single Judge concerned by an order dated 21.01.2025, citing the issue of limitation and finding the Review Petition to be belated. RP No.660 of 2024 was similarly dismissed by an order dated 04.03.2025 by the learned Single Judge, who had decided WP(C).No.1397 of 2024. The Writ appeals before us impugn the judgments in WP(C).No.21925 of 2020 and WP(C).No.1397 of 2024 after a gap of five years and one year, respectively.

We have deemed it necessary to narrate the aforementioned sequence of events so as to clearly bring out the unfair manner in which the State has chosen to harass a citizen through unnecessary litigation. The directions in the earlier Writ Petition (WP(C).No.21925 of 2020) were not complied with for almost four years, and that led the respondent herein to approach this Court through a fresh Writ Petition. Despite a reiteration of the earlier directions by another learned Single Judge, who considered the subsequent Writ Petition, the Tahsildar has chosen not to comply with the directions of this Court. We see absolutely no justification for the non-compliance with the directions of this Court for, even on merits the contentions now advanced before us by the learned Government Pleader appearing on behalf of the appellant State cannot be legally countenanced. The State must realise that they do not stand in a privileged position vis-a-vis a citizen when it



comes to matters of litigation and the procedures to be followed while pursuing the same. On the contrary, their actions in this regard must be informed by fairness and reasonableness. The actions of the State in the pursuit of this litigation smacks of unreasonable and unfairness for which they must necessarily be put to terms. We, therefore, dismiss these Writ Appeals with a cost of Rs.25,000/- (Rupees twenty-five thousand only), which the State shall pay to the respondent herein within three weeks from today. We also grant liberty to the State to recover the said amount from the Tahsildar concerned, if the State finds that he was responsible for the delayed actions that invited the order of costs from this court.

Sd/-

DR. A.K.JAYASANKARAN NAMBIAR
JUDGE

Sd/-

P.M.MANOJ
JUDGE



APPENDIX OF WA 1170/2025

PETITIONER ANNEXURES

ANNEXURE I	TRUE COPY OF THE JUDGMENT DATED 28.02.2024 IN WP(C) NO. 1397 OF 2024.
ANNEXURE II	TRUE COPY OF THE DRAFT DATA BANK SHOWING THE ENTRIES OF THE PETITIONER PROPERTY WITH ENGLISH TRANSLATION.
ANNEXURE III	TRUE COPY OF THE FORM 5 APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE RDO DATED 25.01.2024 WITH ENGLISH TRANSLATION.
ANNEXURE IV	TRUE COPY OF THE REPORT OF THE AGRICULTURE OFFICER DATED 29.04.2024 IN FORM 5 APPLICATION OF THE PETITIONER WITH ENGLISH TRANSLATION.
ANNEXURE V	TRUE COPY OF THE RELEVANT PAGES OF THE FINAL DATA BANK SHOWING THE PETITIONER PROPERTY WITH ENGLISH TRANSLATION.



APPENDIX OF WA 1154/2025

PETITIONER ANNEXURES

ANNEXURE I	TRUE COPY OF THE DRAFT DATA BANK SHOWING THE ENTRIES OF THE PETITIONER PROPERTY WITH WITH ENGLISH TRANSLATION.
ANNEXURE II	TRUE COPY OF THE FORM 5 APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE RDO DATED 25.01.2024 WITH ENGLISH TRANSLATION.
ANNEXURE III	TRUE COPY OF THE REPORT OF THE AGRICULTURE OFFICER DATED 29.04.2024 IN FORM 5 APPLICATION OF THE PETITIONER WITH ENGLISH TRANSLATION.
ANNEXURE IV	TRUE COPY OF THE RELEVANT PAGES OF THE FINAL DATA BANK SHOWING THE PETITIONER PROPERTY WITH ENGLISH TRANSLATION.
ANNEXURE V	TRUE COPY OF THE PROCEEDINGS DATED 11.06.2024 OF TAHASILDAR (LR) THRISSUR WITH ENGLISH TRANSLATION.