

Devan Ramachandran, J.

W.P(C)Nos.13202 of 2010, 1126 of 2013, 23900 of
2016, 28817 of 2020, 8109 of 2021 & 21132 of 2021

Dated this the 18th day of January, 2022

O R D E R

Read order dated 24.08.2021.

2. Even though affidavits and statements have been filed before this Court, a solution to the problems faced by the petitioners do not appear to be still in sight.

3. Shri.Jaffar Khan, learned Senior Government Pleader, submits that the Land Revenue Commissioner and other Revenue officials are now sincerely working to identify lands to be allotted to the petitioners and similarly placed persons and that an extent of 36.3438 hectors of land is available in four districts, for distribution.

4. However, Shri.K.S.Madhusoodanan, learned counsel appearing for the petitioners in W.P(C)Nos.23900 of 2016 and 1126 of 2013, says that the total extent required is double this and that he is not sure if even the afore mentioned

36.3438 hectors of land is habitable or otherwise.

5. Shri.Jaffar Khan, learned Senior Government Pleader, however, submitted that the afore mentioned 36.3438 hectors is habitable and that Government is in the process of finding out other lands which can then be distributed to the petitioners and similarly placed persons.

6. I must remind the official respondents that the genesis of the controversy in this case began in the year 2001, when an agreement was entered into by the Government with the participants of the "Chengara Land agitation". It has been nearly 20 years thereafter, but a resolution has not been yet found. This is extremely deleterious because when this State is now gearing for various projects, which will involve displacement of people on account of acquisition, the delay in grant of eligible benefits to the persons who were involved in the "Chengara agitation" would only give rise to further strife and complication.

7. This is because, unless the earlier

commitments made by the Government are adequately met by them, further commitments - particularly on account of the pressing demands on land in Kerala - would become impossible of being honoured, thus paving way to deleterious consequences in future. I am, therefore, certain that this Court should now be told by a competent Authority of the Government as to how and when the lands required for the petitioners and similarly situated persons, will be allotted to them, so that their claims can be fully taken care of.

8. As I have said above, this is very important because the requirements of land on account of the various developmental activities would only mount in the future.

9. I, therefore, adjourn this matter to be called on 02.02.2022; within which time, the learned Senior Government Pleader will disclose to this Court the Officer entrusted with the afore task by the Government and also the time frames within which habitable lands will be allotted to the

petitioners and other similarly situated persons.

10. Needless to say, necessary enquiry with respect to the afore mentioned 36.3438 hectors of land will also be made to confirm that it is fully inhabitable and capable of distribution; and also the time lines within which it can be allotted to eligible persons.

Sd/-

DEVAN RAMACHANDRAN
JUDGE

MC