

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

FRIDAY, THE 20TH DAY OF DECEMBER 2013/29TH AGRAHAYANA, 1935

WP(C).No. 31940 of 2013 (N)

PETITIONERS

1. DEVASIA CHACKO,
MATHEMPARA HOUSE, CHERUVALLY.P.O.

2. SAVIO EAPPEN,
KALTHOOR PUTHIYAVEETIL HOUSE, CHERUVALLY.

3. EAPPEN JOHNY,
PUTHIYAVEETIL HOUSE, CHERUVALLY.P.O.

4. TESSY SEBASTIAN,
W/O.SEBASTIAN, PUTHIYAVEETIL HOUSE, CHERUVALLY.

5. SEBASTIAN,
S/O.EAPPEN, KALATHOOR PUTHIYAVEETIL, CHERUVALLY.P.O.

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENT(S) /RESPONDENTS:

1. THE SPECIAL TAHSILDAR (LA) (NH) -PONKUNNAM,
OFFICE OF THE SPECIAL TAHSILDAR(LA) (NH) , PONKUNNAM.

2. THE ASSISTANT EXECUTIVE ENGINEER,
KERALA STATE TRANSPORT PROJECT DIVISION
PONKUNNAM-682507.

BY GOVERNMENT PLEADER SMT C K SHERIN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-12-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

kkj

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE IST PETITIONER

EXT.P1 (A) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 2ND PETITIONER WITH RESPECT TO
06.92 ACRES OF LAND

EXT.P1 (B) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 2ND PETITIONER WITH RESPECT TO
03.27 ACRES OF LAND

EXT.P1 (C) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 2ND PETITIONER WITH RESPECT TO
04.22 ARES OF LAND

EXT.P1 (D) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 3RD PETITIONER

EXT.P1 (E) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 4TH PETITIONER

EXT.PP1 (F) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 5TH PETITIONER WITH RESPECT TO
0.14 ARES OF LAND

EXT.P1 (G) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 5TH PETITIONER WITH RESPECT TO
02.01.ARES OF LAND

EXT.P1 (H) THE COPY OF AWARD PASSED BY THE IST RESPONDENT FIXING THE
COMPENSATION DUE TO THE 5TH PETITIONER WITH RESPECT TO
01.31 ARES AND 00.61 ARES OF LAND

EXT.P2 THE COPY OF THE AGREEMENT DATED 16/6/2009 ALONG WITH COPY
OF THE SAME ENTERED IN BETWEEN THE IST PETITIONER AND THE
IST RESPONDENT

EXT.P2 (A) THE COPY OF THE AGREEMENT DATED 11/11/2008 ALONG WITH THE
TYPED COPY OF THE SAME ENTERED IN BETWEEN THE 2ND
PETITIONER AND THE IST RESPONDENT

EXT.P2 (B) THE COPY OF THE AGREEMENT DATED 3/10/2008 ALONG WITH THE
TYPED COPY OF THE SAME ENTERED IN BETWEEN THE 3RD
PETITIONER AND THE IST RESPONDENT

EXT.P2 (C) THE COPY OF THE AGREEMENT DATED 18/8/2008 ALONG WITH THE
TYPED COPY OF THE SAME ENTERED IN BETWEEN THE 4TH
PETITIONER AND THE IST RESPONDENT

EXT.P2 (D) THE COPY OF THE AGREEMENT DATED 20/8/2008 ALONG WITH THE
TYPED COPY OF THE SAME ENTERED IN BETWEEN THE 5TH
PETITIONER AND THE IST RESPONDENT

EXT.P3 THE COPY OF APPLICATION DATED 27/10/2010 FILED BY THE IST
PETITIONER UNDER SECTION 28A OF LAND ACQUISITION ACT

EXT.P3 (A) THE COPY OF THE APPLICATION DATED 27/10/2010 FILED BY THE
2ND PETITIONER UNDER SECTION 28A OF LAND ACQUISITION ACT.

EXT.P3 (B) THE COPY OF THE APPLICATION DATED 27/10/2010 FILED BY THE
3RD PETITIONER UNDER SECTION 28A OF LAND ACQUISITION ACT

EXT.P3 (C) THE COPY OF THE APPLICATION DATED 27/10/2010 FILED BY THE
4TH PETITIONER UNDER SECTION 28A OF LAND ACQUISITION ACT

EXT.P3 (D) THE COPY OF THE APPLICATION DATED 27/10/2010 FILED BY THE
5TH PETITIONER UNDER SECTION 28A OF LAND ACQUISITION ACT

EXT.P4 THE COPY OF THE ORDER DATED 16/11/2010 PASSED BY THE 1ST
RESPONDENT REJECTING EXHIBIT P3 APPLICATION

EXT.P4 (A) THE COPY OF THE ORDER DATED 16/11/2010 PASSED BY THE 1ST
RESPONDENT REJECTING EXHIBIT P3 (B) APPLICATION

EXT.P4 (B) THE COPY OF THE ORDER DATED 16/11/2010 PASSED BY THE 1ST
RESPONDENT REJECTING EXHIBIT-P3 (B) APPLICATION

EXT.P4 (C) THE COPY OF THE ORDER DATED 16/11/2010 PASSED BY THE 1ST
RESPONDENT REJECTING EXHIBIT P3 (C) APPLICATION

EXT.P4 (D) THE COPY OF THE ORDER DATED 16/11/2010 PASSED BY THE 1ST
RESPONDENT REJECTING EXHIBIT P3 (D) APPLICATION.

RESPONDENT (S) ' EXHIBITS

NIL

// TRUE COPY //

PA TO JUDGE

K.SURENDRA MOHAN, J.

W.P.(C) No.31940 of 2013-N

Dated this the 20th day of December, 2013

J U D G M E N T

The petitioners challenge Exhibit P4 series orders, by which applications submitted by them under Section 28A of the Land Acquisition Act, 1894 have been rejected. I notice that all the orders that are under challenge are of the year 2010. The explanation of the petitioners for the delay in challenging Exhibit P4 series orders is contained in paragraph 8 of the writ petition. What is stated is that their counsel had advised them to get copies of the relevant records and the copies could be obtained only by the end of 2012. Even accepting the said explanation in full, there is no explanation for the delay of one year during 2013, that has followed. No details regarding the period prior to 2012 is also available. Therefore, I am not satisfied that there are any grounds to entertain the present belated challenge against Exhibit P4 series orders. This writ petition is therefore dismissed.

**K.SURENDRA MOHAN,
JUDGE**

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