

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

CO.No. 108 of 2008 () IN LA.App..474/2007

AGAINST THE JUDGMENT AND DECREE IN L.A.A 474/2007 OF HIGH COURT OF
KERALA DATED 6.11.2009

AGAINST THE JUDGMENT AND DECREE IN LAR 47/2004 ON THE FILE OF THE ii
ADDITIONAL SUB COURT,THRISSUR DATED 18.7.06

CROSS OBJECTOR/RESPONDENT

ELSY THOMAS, W/O. THARAKAN THOMAS,
PUZHAKKAL, THRISSUR.

BY SMT.ELSY THOMAS (PARTY-IN-PERSON)

RESPONDENTS/APPELLANTS;

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1. THE SPECIAL TAHSILDAR, LA(G) ,THRISSUR.
 2. THE GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE,
THRISSUR.
 3. THE DISTRICT COLLECTOR,
THRISSUR.

R2 BY ADV. SRI.P.V.CHANDRA MOHAN

R1&R3 BY SR. GOVERNMENT PLEADER SRI. R.PADMARAJ

THIS CROSS OBJECTION HAVING BEEN FINALLY HEARD ON 03-02-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AL/-

**T.R.RAMACHANDRAN NAIR &
P.V.ASHA, JJ.,**

C.O.108 of 2008 in L.A.A.No. 474/ 2007

Dated this the 3rd day of February 2015

JUDGMENT

Ramachandran Nair, J.,

This Cross Objection is filed in L.A.A. No. 424/07. The said appeal has already been dismissed by judgment dated 6.11.09.

2. We heard learned counsel for the appellant and the learned Sr. Government Pleader.

3. The land acquired is for the purpose of Industrial Development Plots at Puzhakkal Padam. The notification under Section 4(1) was dated 31.12.1999. The award was passed on 19.12.2001. The land value fixed is at the rate of Rs. 3410/- per Are. The Reference court enhanced the land value at the rate of Rs. 5638.88/- per Are (Rs. 2280/- per cent). In the Cross Objection enhancement is claimed by a further amount of Rs. 6,000/- per cent. It is brought to our notice that a Division Bench of this Court in a batch of cases in L.A.A. 515/06 and connected cases, has considered the fixation of land value in respect of acquired lands under the same notification under Section 4(1). Therein the land value fixed is at the rate of Rs. 1,380/- per cent and it was enhanced to Rs.

C.O.108 of 2008 in L.A.A.No. 474/ 2007 2

2380/- per cent. Finally in paragraph 16 of the judgment we notice that the land value has been fixed at the rate of Rs. 8050/- per cent.

In the light of the above judgment, we adopt the same land value. The Cross Objection will stand allowed to that extent by fixing the land value for the acquired property at the rate of Rs. 8050/- per cent. The claimant will be entitled to all the statutory benefits as granted by the trial court also. No costs.

Sd/-

T.R.RAMACHANDRAN NAIR
(JUDGE)

Sd/-

P.V.ASHA
(JUDGE)

AL/-

True copy

P.A to Judge