

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

&

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

LA.App..No. 335 of 2002 ()

AGAINST THE JUDGMENT AND DECREE IN LAR 69/1998 OF SUB COURT, KOZHIKKODE
DATED 30-11-2000

APPELLANT(S)/RESPONDENT:

STATE OF KERALA

BY SENIOR GOVERNMENT PLEADER SRI. L. ALOSIOUS THOMAS

RESPONDENT(S)/CLAIMANT:

SRI.KIZHAKKE KARINHOLI MANOJ FOR MOTHER
MARINHOLI KARTHIYANI AMMA, THALAKULATHUR VILLAGE
KOZHIKKODE TALUK.

R BY ADV. SRI.THOMAS ANTONY

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 09-
10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMACHANDRA MENON,
& K. HARILAL, JJ.

LAA No. 335 of 2002

JUDGMENT

DATED : 09.10.2015

P.R. RAMACHANDRA MENON

&

K. HARILAL, JJ.

~~~~~

LAA No. 335 of 2002

~~~~~

Dated, this the 9th day of October, 2015

JUDGMENT

Ramachandra Menon, J.

This appeal has been preferred by the State being aggrieved of the judgment and decree dated 30.11.2000 in LAR No. 69 of 1998 of the Sub Court, Kozhikkode.

2. Pursuant to Section 4(1) notification dated 15.01.1993, land having an extent of 0.0415 hectares in Thalakulathur village was acquired for construction of Calicut Bye Pass Road. The land value fixed by the acquisition officer as Rs.5102/- per cent was subsequently enhanced by the Reference Court as Rs.20,000/- per cent. The said enhancement is sought to be challenged by the State stating that it is exorbitant.

3. When the matter is taken up for consideration, the learned Government Pleader brought it to the notice of this Court that similar issue involving very same acquisition proceedings, with reference to the proceedings covered in LAR No. 430 of 1997 of the very same

Court, came up for consideration of this Court in LAA No. 699 of 2000 filed at the instance of the State. After hearing the said matter along with other connected matters, this Court as per judgment dated 25.05.2012 moulded the relief. The learned Government Pleader submits that the enhancement made by the Reference Court in this matter is within the limits of the relief granted by this Court vide judgment dated 25.05.2012 in LAA No. 699 of 2000 and connected cases and in the said circumstances, this appeal is not intended to be pressed. Accordingly, the Land Acquisition Appeal is dismissed as not pressed.

sd/-

**P. R. RAMACHANDRA MENON,
JUDGE**

sd/-

**K. HARILAL,
JUDGE**

kmd

/True copy/

P.A. to Judge