

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 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

LA.App..No. 611 of 2002 ()

AGAINST THE JUDGMENT IN LAR 546/1993 of SUB COURT, MAVELIKKARA

APPELLANTS/CLAIMANTS; :

1. MADHAVI, KARISSERIL HOUSE,
CHEPPAD KIZHAKUM MURI.

2. RETNAKUMARI, DO. DO.

3. JANARDHANAN, DO. DO.

BY ADVS.SRI.P.SREEKUMAR
SRI.K.S.MANU (KOLLAM)

RESPONDENTS/RESPONDENT: :

1. STATE OF KERALA REP. BY
DISTRICT COLLECTOR, ALAPUZHA.

2. N.T.P.C. LTD. REP. BY ITS
POWER OF ATTORNEY HOLDER, K. KRISHNAMOORTHY.

BY GOVT. PLEADER SRI.ALOYSIOUS THOMAS
SMT.LATHA KRISHNAN FOR R2

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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

LAA No.611 OF 2002

Dated this the 6th day of January, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is filed by the claimant in L.A.R.No.546/1993 of the Sub Court, Mavelikkara. The land was acquired for the purpose of the second respondent NTPC. The date of Section 4(1) notification is 17.4.1990. The land acquisition officer fixed land value @ ₹2400/- per Are. The extent involved is 6.20 Ares in Sy.No.2/11 of Cheppad village. The appellant claimed land value @ ₹20,000/- percent as the property is near to Panchayath road. It is stated that it is near Cheppad junction and Nangiarkulangara junction and important institutions are situated nearby. The reference court refixed the land value @ ₹6,000/- per Are.

2. Before the Reference Court the claimant relied upon Ext.A1 which is the certified copy of the judgment in L.A.R.Nos.355/1991 and 458/1991. This Court in the appeal from the judgment in

L.A.R.No.458/1991 namely L.A.A.No.686/2000 has fixed land value of wet land @ ₹ 9,000/- per Are.

3. In the judgment in connected case namely L.A.A.No.1367/2002 disposed of this day, we have adopted land value @ ₹ 7,000/- per Are for the reclaimed land.

In the light of the above, we are of the view that the appellants will also be entitled to land value @ ₹7,000/- per Are for the acquired land. The appeal is accordingly allowed. The appellants will also be entitled to statutory benefits as granted by the reference court. No costs.

T.R.RAMACHANDRAN NAIR, JUDGE

P.V.ASHA, JUDGE

SV.

