

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. 650 of 2002 ()

AGAINST THE AWARD IN LAR 423/1993 ON THE FILE OF THE SUB COURT,
MAVELIKKARA DATED 31.1.2001

APPELLANT/CLAIMANT:

GANGA SREEHARSHAN, SANKARAMANGALAM,
NANGIARKULANGARA, CHINGOLI, ALAPPUZHA DIST.

BY ADV. SRI.K.SASIKUMAR

RESPONDENTS/RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY CHIEF
SECRETARY, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. NATIONAL THERMAL POWER CORPORATION LTD.
REPRESENTED BY ITS GENERAL MANAGER, KAYAMKULAM.

R1 BY SR.GOVERNMENT PLEADER SRI. L.ALOYSIUS THOMAS

R2 BY ADV.SMT. LATHA KRISHNAN- SC.

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

AL/-

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

L.A.A. No.650 of 2002

Dated this the 6th day of January 2015

JUDGMENT

Ramachandran Nair, J.,

The award of the reference court in L.A.R. No. 423/1993 is under challenge by the claimant herein. The land is acquired for the purpose of NTPC which is the requisitioning authority and the land involved is having an extent of 18.07 Ares which is treated as wet land by the Land Acquisition Officer.

2. We heard the learned counsel for the appellant and learned counsel for the NTPC, and the learned Senior Government Pleader.

3. Going by the award passed by the Land Acquisition Officer, the land value is fixed at the rate of Rs. 2,200/- per Are. The reference court enhanced the same to Rs. 4,400/- per Are.

4. Before this Court, learned counsel for the appellants submitted that the claimant is entitled to further enhancement

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especially in the light of the judgments in connected cases by this Court. Reference is made to the judgment in L.A.A. 707/2000 wherein, the land value of similar items of wet land is fixed at the rate of Rs. 6,400/- per Are.

We are of the view that in the light of the said judgment of this Court, the claimant herein will also be entitled to the same land value and we refix the land value herein for the acquired property at the rate of Rs. 6,400/- per Are. The claimant will also be entitled to all the statutory benefits granted by the trial court. No costs.

Sd/-

**T.R.RAMACHANDRAN NAIR
(JUDGE)**

Sd/-

**P.V.ASHA
(JUDGE)**

AL/-

True copy

P.A to Judge

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

L.A.A. No.650 of 2002

Dated this the 6th day of January 2015

JUDGMENT

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