IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR
&
THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

LA.App..No. 263 of 2012 ()

AGAINST THE JUDGMENT AND DECREE IN LAR 108/2006 ON THE FILE OF THE SUB COURT, PATHANAMTHITTA DATED 19-11-2008

APPELLANTS/RESPONDENTS IN LAR:

1. STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR
PATHANAMTHITTA.

2. THE EXECUTIVE ENGINEER
KSTP, KOTTARAKKARA DIVISION.

BY SR. GOVERNMENT PLEADER SRI. R.PADMARAJ

RESPONDENT/CLAIMANT IN LAR:

PRABHAVATHI DEVI
KRISHNA VILASAM, EZHAMKULAM, KURAMPALA VILLAGE
ADOOR TALUK. 670 548.

R1 BY ADV. SRI.K.SURESH
R1 BY ADV. SMT.DEEPTHI S.MENON

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AL/-

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

- -

L.A.A. No.263 of 2012

- -

Dated this the 12th day of March 2015

JUDGMENT

Ramachandran Nair, J.,

This appeal is filed from the judgment and decree in L.A.R.No. 108/2006 on the file of the Sub Court, Pathanamthitta. The State has come up in appeal. An extent of 0.16 Ares of land was acquired for the purpose of widening of Kottarakkara-Adoor-Chengannoor M.C.Road. The notification under Section 4 (1) of the Act was published on 26.7.2003. The work was undertaken as part of the Kerala State Transport Project. The Land Acquisition Officer fixed the land value at the rate of Rs.38586/- per Are which stands enhanced to Rs. 1,50,000/- per Are by the reference court.

2. The reference court relied upon Ext.A1 judgment in L.A.A. No. 89/2006 of the same court, wherein, the land value fixed is identical. It is brought to our notice that the judgment in L.A.A.150 & 183 of 2012 dated 28.10.2014 in respect of the

very same acquisition, viz., widening of Kottarakkara-Adoor-Chengannoor M.C.Road, this Court confirmed the land value at Rs. 1,50,000/- per Are that was also a case where the Land Acquisition Officer fixed the land value at the rate of Rs. 38586/- per Are. Said judgment arose from L.A.R. Nos. 163/06 & 162/06. We therefore, are of the view that no interference is called for, going by the above position.

Accordingly, the appeal is dismissed.

Sd/-

T.R.RAMACHANDRAN NAIR
(JUDGE)

Sd/-
P.V.ASHA
(JUDGE)

AL/-

True copy

P.A to Judge