

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

L.A.App. No. 674 of 2012 (C)

**(AGAINST THE JUDGMENT AND DECREE IN L.A.R NO.109/2007 of II ADDL.SUB COURT,
THIRUVANANTHAPURAM DATED 07-02-2012)**

APPELLANT(S)/RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.**
- 2. THE EXECUTIVE ENGINEER,
PWD NH DIVISION, THIRUVANANTHAPURAM.**

BY SR. GOVERNMENT PLEADER, SRI. R.PADMARAJ

RESPONDENT/CLAIMANT:

**JACOB GEORGE JOSEPH,
T.C 27/807 RAMAKRISHNA REDDIAR ROAD,
NEAR NEW THEATRE, THAMPANOR,
THIRUVANANTHAPURAM - 695 001.**

**BY ADVS. SRI.B.RAGHUNATHAN
SRI.M.SALIM
SRI.R.SRINATH
SRI.VIPIN VARGHESE**

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON
04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

P.T.O.

ST/-

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

L.A.A No.674 of 2012

Dated this the 4th day of February, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is filed from the judgment and decree in L.A.R No.109/2007 of the II Additional Sub Court, Thiruvananthapuram. The acquisition was for the widening of LMS-Attakulangara road and the notification under Sec.4(1) is dated 07.08.2004. The extent of land involved is 1 Ares of land comprised in Sy. No.1322/2 of Vanchiyoor Village and the Land Acquisition Officer fixed the land value at Rs.4,11,665/- per Are.

2. The Reference Court has granted the enhanced land value at Rs.24,00,000/- per Are.

3. Heard both sides.

4. The learned Senior Government Pleader has relied upon various judgments of this Court, including our judgment in L.A.A No.77/2013. Therein, the notification is dated 07.08.2004 and the land value fixed by the Land Acquisition Officer was at the rate of Rs.4,11,665/- per Are. We had

relied upon the judgment in L.A.A. No.2008/2008 wherein this Court had fixed the land value at Rs.24,00,000/- and accordingly we had re-fixed the land value to Rs.24,00,000/-.

Herein, the acquisition is for the same purpose and the notification is also on the same date. There is no scope for variation of land value and the appeal is dismissed. No costs.

Sd/-
T.R.RAMACHANDRAN NAIR
JUDGE

Sd/-
P.V.ASHA
JUDGE

//true copy//

P.S. To Judge

St/-