

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

LA.App..No. 735 of 2012 ()

AGAINST THE JUDGMENT AND DECREE IN LAR 148/2007 ON THE FILE OF THE
II ADDITIONAL SUB COURT,TRIVANDRUM DATED 23.1.2010

APPELLANT/1ST RESPONDENT:

STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR
THIRUVANANTHAPURAM.

BY SR. GOVERNMENT PLEADER SRI.R.PADMARAJ

RESPONDENTS/CLAIMANTS 1 TO 3 & 2ND RESPONDENT. :

1. ABDUL SALAM S/O. JALALUDEEN
T.C.45/4 (6) , AMBALATHARA
POONTHURA P.O. THIRUVANANTHAPURAM - 695 026.

2. ABDUL MAJEED,
T.C.45/4 (16) , AMBALATHARA
POONTHURA P.O. THIRUVANANTHAPURAM - 695 026

3. THE MANAGER,
S.B.T. MAIN BRANCH, THIRUVANANTHAPURAM - 695 001.

4. THE SECRETARY,
TRIDA, THIRUVANANTHAPURAM - 695 001.

R1,R2 BY ADV. SMT.M.HEMALATHA
R4 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, TRIDA

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

AL/-

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

L.A.A. No.735 of 2012

Dated this the 2nd day of February 2015

JUDGMENT

Ramachandran Nair, J.,

This appeal is filed from the judgment and decree in L.A.R. No. 148/2007 on the file of the Sub Court, Thiruvananthapuram. The property was acquired for the widening of LMS-Attakulangara Road as per Section 4(1) notification dated 30.8.2005. The extent of land involved is 0.29 Ares of land in Survey No. 958/1 & 959/1 of Vanchiyoor Village Thiruvananthapuram. The challenge is against the fixation of land value at the rate of Rs. 24,70,000/- per Are as against the land value awarded by the Land Acquisition Officer is Rs. 4,11,665/- per Are.

2. Learned counsel for the respondent submitted that the reference court enhanced the land value in the light of the judgment in L.A.R. No. 340/2006. The property therein

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was also acquired for the very same purpose. Relying upon the same, the land value has been fixed. It is submitted that no appeal was filed from the said judgment. Learned Government Pleader also submitted that no appeal is seen filed from the judgment. In the light of the above, we dismiss the present appeal.

Sd/-

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

Sd/-

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

AL/-

True copy

P.A to Judge