

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. 801 of 2012 (A)

**(AGAINST THE JUDGMENT AND DECREE IN L.A.R NO.385/2006 of II ADDL.SUB
COURT, THIRUVANANTHAPURAM DATED 23-07-2011)**

APPELLANT/1ST RESPONDENT :

**THE STATE OF KERALA,
REPRESENTED BY THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.**

BY SR. GOVERNMENT PLEADER, SRI. R.PADMARAJ

RESPONDENTS/CLAIMANT & 2ND RESPONDENT :

**1. SIBILE PERIERA MARY, MARGERETTE JOSEPH,
TEENA COTTAGE,
KADINAMKULAM, THIRUVANANTHAPURAM.**

**2. THE SECRETARY,
TRIDA, THIRUVANANTHAPURAM-695 001.**

**R1 BY ADV. SRI.M.SREEKUMAR
R2 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, TRIDA**

**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.801 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.385/2006 of the II Additional Sub Court, Thiruvananthapuram. The land acquisition was for the purpose of widening the LMS - Attakulangara Road for the 2nd Respondent, under Section 4(1) notification dated 07.08.2004. An extent of 0.30 Ares of land in Survey No.1243/1 of Vanchiyoor Village in Thiruvananthapuram Taluk was acquired for the above purpose. The Land Acquisition Officer fixed the land value at Rs.4,11,665/- per Are, which has been enhanced to Rs.24,70,000/- by the Reference Court.

2. Heard both sides.

3. The learned Senior Government Pleader relied upon the various judgments of this Court including our judgment in L.A.A No.77/2013. By that judgment, we have re-fixed the land value at Rs.24 Lakhs for the very same acquisition and

under the very same notification.

4. Accordingly, we allow the appeal and re-fix the land value at Rs.24,00,000/- per Are. No costs.

Sd/-
T.R.RAMACHANDRAN NAIR
JUDGE

Sd/-
P.V.ASHA
JUDGE

//true copy//

P.S. To Judge

St/-