

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

&

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

LA.App..No. 869 of 2007 ()

AGAINST THE JUDGMENT AND DECREE IN LAR 252/2001 of SUBORDINATE COURT,
THALASSERY DATED 30-05-2005

APPELLANT)/RESPONDENT IN THE LAR:

STATE OF KERALA, REP.BY
THE SPECIAL TAHSILDAR (LA), THALASSERY.

BY GOVERNMENT PLEADER SRI. ALOYSIUS THOMAS

RESPONDENT/CLAIMANT:

MADATHIL MUKUNDAN,
MADATHIL HOUSE, P.O.MUNDALUR.

BY ADV. SRI.M.SASINDRAN

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION
ON 13-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

kp/-

P.R. RAMACHANDRA MENON & ANIL K. NARENDRA, JJ.

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L.A.A.No. 869 of 2007

Dated this the 13th day of November, 2015

JUDGMENT

RAMACHANDRA MENON, J

The extent of enhancement awarded by the reference court is sought to be challenged by the State, as on the higher side.

2. The property having an extent of 0.0568 hectare in R.S.No.3/1 of Keezhallur Village was sought to be acquired for development of the Kannur Airport pursuant to notification under Section 4(1) of the Land Acquisition Act, 1894 dated 30.5.2005. The Land Acquisition Officer awarded compensation by fixing the land value at ₹1,68,498/- per hectare, which was enhanced by the reference court as ₹6,17,500/- per hectare. This is sought to be interfered by filing this appeal.

3. Heard both the sides.

4. During the course of hearing, the learned Senior Government Pleader submits that, by virtue of the subsequent developments, the matter has become final, whereby the land value has been finalized by this Court at the rate of ₹3,000/- per cent in L.A.A.No.1634 of 2008. The enhancement awarded by

the reference court in the instant case does not overreach the said figure. In such circumstance, nothing further remains to be considered in this appeal.

The appeal stands dismissed.

**P.R. RAMACHANDRA MENON,
JUDGE**

**ANIL K. NARENDRA,
JUDGE**

kp/-