

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

&

THE HONOURABLE MR. JUSTICE K.SURENDRA MOHAN

FRIDAY, THE 23RD OCTOBER 2009 / 1ST KARTHIKA 1931

LA.App..No. 1052 of 2007(C)

LAR.450/1994 of SUB COURT, MAVELIKKARA

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APPELLANT(S): RESPONDENT

STATE OF KERALA

BY SR. GOVERNMENT PLEADER SRI.BASANT BALAJI

RESPONDENT(S): CLAIMANT

KARTHIKEYAN PILLAI,
MANGALATHU PILAPPUZHA, HARIPPAD.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 23/10/2009,THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C. KURIAKOSE &
K. SURENDRA MOHAN, JJ.

L. A. A. No.1052 of 2007

Dated this the 23rd day of October, 2009

JUDGMENT

Pius C. Kuriakose, J

The respondent has been served with notice. But, there is no appearance for him. Registry now reports to us that appeal preferred against Ext.A1 was dismissed. Senior Government Pleader pointed out that by judgment in L.A.A.1311/07 and two other appeals, this Court has interfered with the judgments of the Reference Court granting enhancement above Rs.18404/- per Are and re-fixed the land value at Rs.18404/- per Are. We are of the opinion that even though Ext.A1 judgment relied on by the Reference Court has been approved by this Court, a parity has to

be maintained between the values awarded ultimately to persons who were treated equally for the purpose of fixation of land value by the Land Acquisition Officer. Hence, we set aside the judgment in L.A.R.450/94 and allow this appeal modifying the award of the Reference Court and re-fix the land value at Rs.18404/- per Are.

2. It is needless to mention that the claimant/respondent will be entitled for all statutory benefits admissible under law on the total enhanced compensation to which he will become eligible by virtue of this judgment.

Sd/-
PIUS C. KURIAKOSE
JUDGE

Sd/-
K. SURENDRA MOHAN
JUDGE

kns/-

The judgment dated 23.10.2009 in L.A.A. No.1052/2007 is reviewed and set aside vide order dated

25.5.2015 in R.P. No.354/2015 in L.A.A. No. 1052/2007.

Sd/-
Registrar (Judicial)