

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

&

THE HONOURABLE MR.JUSTICE K.HARILAL

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

LA.App..No. 1149 of 2007 ()

AGAINST THE JUDGMENT IN LAR 95/1998 of SUB COURT, MAVELIKKARA
DATED 26-02-2003

APPELLANT(S)/RESPONDENT NO.1:

STATE OF KERALA, REPRESENTED BY
SPECIAL TAHSILDAR (LA), NO.III, STPS, HARIPPAD.

BY GOVERNMENT PLEADER SRI.R.PADMARAJ

RESPONDENT(S)/CLAIMANT & 2ND RESPONDENT:

1. M.S.RAJENDRA PRASAD, MUNDAPPALLIL,
VALIAKUZHI, CHEPPAD, REP.BY POWER OF ATTORNEY
HOLDER M.S.RAJA MOHANAN.

2. THE N.T.P.C. LIMITED.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

OKB

P.R. RAMACHANDRA MENON & K. HARILAL, JJ.

L.A.A. No.1149 of 2007

Dated this the 8th day of October, 2015.

JUDGMENT

Ramachandra Menon, J.

This appeal arises from the judgment and decree dated 26.2.2003 passed by the reference court, Mavelikkara. The notification under Section 4(1) was issued on 4.2.1997 and, as per the award dated 3.7.1997, the Land Acquisition Officer awarded and fixed the land value as Rs.12,978/- per Are. This was enhanced by the reference court to Rs.50,000/- per cent, which in turn is under challenge in this appeal.

2. The learned Government Pleader submits that the requisitioning authority had also filed an appeal by way of L.A.A.No.322/2004 in respect of the same award and that the matter has been disposed of as per judgment dated 25.9.2008, whereby the appeal was caused to be withdrawn, thus sustaining the land value awarded by the reference court. In the said

circumstance, nothing further survives to be considered in this appeal. It is dismissed as not pressed.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE

Sd/-

K. HARILAL, JUDGE

okb.

The judgment dated 08/10/2015 in L.A.A No.1149/2007 is corrected as follows vide order dated 02/09/2016 in I.A. No.1459/2015 in L.A.A No.1149/2007.

The figure "Rs.12,978/- per Are" occurring in the first paragraph is corrected as "₹ 7972/- per Are" and the last sentence in the said paragraph is corrected as "This was enhanced by the reference court to ₹ 12,978/- per Are, which in turn is under challenge in this appeal".

Sd/-

Registrar (Judicial)