

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

LA.App..No. 125 of 2013 ()

AGAINST THE ORDER/JUDGMENT IN LAR 11/2011 of SUB COURT, THODUPUZHA DATED
APPELLANT(S)/RESPONDENTS:-:

1. STATE OF KERALA,
REPRESENTED BY THE DISTRICT COLLECTOR, IDUKKI.

2. THE EXECUTIVE ENGINEER,
P.W.D ROADS DIVISION, IDUKKI.

BY SR GOVERNMENT PLEADER SHRI R. PADMARAJ

RESPONDENT(S)/CLAIMANT:-:

SANKARAN NAMBOOTHIRI,
S/O.NARAYANAN NAMBOOTHIRI, CHOWVELI ILLAM
MANNAKKAD - 685 584.

R1 BY ADV. SRI.T.V.GEORGE

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 23-
07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**T.R. RAMACHANDRAN NAIR &
K.P. JYOTHINDRANATH, JJ.**

L.A.A.No.125 of 2013

Dated this the 23rd day of July, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is from the judgment and decree in L.A.R. No.11/2011 on the file of the Sub Court, Thodupuzha. The extent of land involved is 0.0098 hectares comprised in Sy. No.797/3-6 of Manakkadu Village which was acquired for the approach road to Irrukkumpuzha Bridge as per Section 4(1) notification dated 24.10.2008. The Land Acquisition Officer awarded land value at the rate of Rs.62,390/- per are. The property was categorised into category IV and the reference court enhanced the land value to Rs.1,61,500/- per are.

2. Heard both sides.

3. Before the reference court, the claimant was examined as A.W.1 and Ext.A1 certified copy of the judgment in LAR No.26/2010 and connected cases has been marked. The respondents have marked

in evidence Exts.R1 to R3.

4. The reference court found that the properties in Ext.A1 judgment and the property herein were acquired for the same purpose and they are similarly situated. Accordingly, the land value fixed therein was adopted.

5. It is seen from the judgment in LAA No.800/2012 which was from LAR No.65/010 that the value fixed by the reference court at the same rate was confirmed by this Court, by dismissing the appeal. We have gone through the said judgment. This Court had also noticed that the appeals filed against the judgment in LAR Nos.11/2010 and 13/2010 have been dismissed by this Court.

6. In the light of the fact that the land value fixed as now in this case has been confirmed in the connected appeal, as noted already and as the properties are of similar nature, we find no reason to interfere with the judgment and accordingly, the appeal is dismissed without any order as to costs.

(T.R. RAMACHANDRAN NAIR, JUDGE.)

(K.P. JYOTHINDRANATH, JUDGE.)

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