

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

LA.App..No. 135 of 2013 ()  
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AGAINST THE JUDGMENT AND DECREE IN LAR 507/2009 of II ADDL.SUB  
COURT,TRIVANDRUM DATED 09-04-2012

APPELLANT:1ST RESPONDENT  
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STATE OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR  
THIRUVANANTHAPURAM.

BY SR.GOVERNMENT PLEADER SHRI R.PADMARAJ  
SRI.P.C.IYPE, ADDL. ADVOCATE GENERAL

RESPONDENT(S):CLAIMANTS  
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1. HARIKRISHNAN  
T.C 5/2436 UDIYANAM, KOWDIAR,  
THIRUVANANTHAPURAM-695 004.

2. THE SECRETARY,  
TRIDA, THIRUVANANTHAPURAM-695 010

R1 BY ADV. SMT.M.HEMALATHA  
R1 BY ADV. SRI.M.MUHAMED HANEEFA  
R2 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, TRIDA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION  
ON 03-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**T.R.RAMACHANDRAN NAIR & P.V ASHA, JJ.**

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**L.A.A No.135 of 2013**  
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**Dated this the 3<sup>rd</sup> day of February, 2015**

**JUDGMENT**

Ramachandran Nair, J.

The State is in appeal against the judgment in L.A.R No.507 of 2009 of the IInd Additional Sub Court, Trivandrum.

2. We heard the learned Senior Government Pleader for the appellant and the learned counsel for the respondents. The extent involved is 0.37 Ares of land in Sy.No.25/93 of Peroorkada village which was acquired for widening of Kowdiar-Ambalamukku-Peroorkada-Vazhayila by the 2<sup>nd</sup> respondent and the notification under Section 4(1) is dated 11.06.2007. The Land Acquisition Officer awarded land value @ Rs.5,84,054/- per Are and the reference court enhanced the same to Rs.22 lakhs per Are.

3. In the course of discussion, the reference court relied upon the judgment of this Court in L.A.A No.1063 of 2010. The said judgment relates to the acquisition for widening Pattom-

Kawdiar road. The Section 4(1) notification is dated 31.10.2004. We have gone through the judgment in L.A.A 1063/2010. Therein the Land Acquisition Officer has awarded an amount of Rs.2,13,408/- per Are which was enhanced by the reference court to Rs.30 lakhs per Are. The appeals were allowed after refixing the market value at Rs.22 lakhs per Are. In that judgment, this Court taken into account the common judgment dated 18.08.2011 in 1122 and 1182 of 2010.

In the light of the fact that the judgment in L.A.A 1063 of 2010 was relied upon by the reference court to fix the land value, we find that there is no scope to interfere with the impugned judgment.

Accordingly, the appeal is dismissed. No costs.

*Sd/-*  
**T.R.RAMACHANDRAN NAIR**  
**Judge**

*Sd/-*  
**P.VASHA**  
**Judge**

rtr/

/true copy/

P.S to Judge