

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

LA.App..No. 507 of 2013 ()

AGAINST THE JUDGMENT & DECREE IN LAR 864/2009 of II ADDL.SUB
COURT, TRIVANDRUM DATED 28-07-2012

APPELLANT(S) /RESPONDENTS:

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

2. THE EXECUTIVE ENGINEER,
PWD NH DIVISION, THIRUVANANTHAPURAM.

BY SENIOR GOVERNMENT PLEADER SRI R.PADMARAJ

RESPONDENT/CLAIMANT:

P.VIJAYACHANDRAN NAIR,
JANAI NIVAS, NALANCHIRA,
THIRUVANANTHAPURAM-695015.

R2-R5 BY ADV. SRI.J.HARIKUMAR
R2-R5 BY ADV. SMT.SARANNYA U.NARAYANAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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

L.A.A No.507 of 2013

Dated this the 6th day of April, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is from the judgment and decree in L.A.R No.864 of 2009 of the IInd Additional Sub Court, Thiruvananthapuram. The land was acquired for the expansion of Mannanthala-Kesavadasapuram Road and the notification under Section 4(1) was published on 19.11.2005. The Land Acquisition Officer has fixed the land value @ Rs.2,26,673/- per Are which has been enhanced by the trial court to Rs.9,16,000/- per Are.

2. Heard both sides. The land value fixed at Rs.9,16,000/- per Are has been affirmed by this Court in L.A.A No.26 of 2013, which is from the judgment in L.A.R No.650 of 2009. The judgment in L.A.R No.650 of 2009 was produced as Ext.A1 before the reference court and based on which the reference court has granted the enhanced land value. Therefore there is no merit in the appeal.

3. Appeal is hence dismissed.

Since L.A.A No.176 of 2014 filed by the claimant is pending, the dismissal of L.A.A No.507 of 2013 will not prejudice the right of the claimant.

Sd/-

T.R.RAMACHANDRAN NAIR
Judge

Sd/-

P.VASHA
Judge

rtr/

/true copy/

P.S to Judge