

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 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

LA.App..No. 528 of 2013 ()

AGAINST THE JUDGMENT IN LAR 379/2007 of II ADDL.SUB
COURT,TRIVANDRUM DATED 23-02-2010

APPELLANT(S)/APPELLANT/RESPONDENT IN LAR:

STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR
THIRUVANANRTHAPURAM.

BY GOVERNMENT PLEADER SRI. R. PADMARAJ

RESPONDENT(S)/CLAIMANT IN LAR:

R. HAJIRA BEEVI
NISAD VILLA, NELLIYOORKONAM, VALIYAVILA
VATTIYOORKAVU, THIRUVANANRTHAPURAM-695 013.

BY ADV. SRI.ANIL KUMAR SREEDHARAN

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR
ADMISSION ON 12-01-2015, 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.528 of 2013

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Dated this the 12th day of January, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is filed from the judgment in LAR No.379 of 2007 of the II Additional Sub Court, Thiruvananthapuram.

2. The land was acquired for the purpose of widening of road from Killipalam to Karamana Reach II as per notification under Section 4(1) of L.A. Act dated 23.07.1998. The Land Acquisition Officer awarded land value @ ₹2,07,774/- per Are. It appears that the Reference Court initially re-fixed the land value @ ₹6,00,000/- which was modified as per order in I.A.No.6494/2011 and presently the land value fixed is @ ₹9,88,000/- per Are. The re-fixation is based on the judgment in LAR No.125/2007.

3. The learned Government Pleader submitted that the judgment in LAR No.125/07 was subject matter of LAA 132/11 and this Court re-fixed the land value @ ₹6,10,000/-.

4. We have gone through the judgment of the Reference court. By judgment in LAA No.33/13 and connected appeals which have disposed of by a separate judgment today, we have fixed the land value @ ₹6,17,284/- (Rupees six lakhs seventeen thousand two hundred and eighty four only) in cases where the land Acquisition Officer awarded land value @ ₹2,07,774/- (Rupees two lakhs seven thousand seven hundred and seventy four only). Therefore, we modify the impugned judgment and fix the land value @ ₹6,17,284/-.

The appeal is allowed to the above extent. No costs.

T. R. Ramachandran Nair, Judge

P.V. Asha, Judge