

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. 846 of 2013 ()

AGAINST THE JUDGMENT IN LAR 403/2009 of II ADDL.SUB COURT,
THIRUVANANTHAPURAM DATED 22-02-2013

APPELLANT/1ST RESPONDENT IN L.A.R.:

STATE OF KERALA

REPRESENTED BY THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

BY SR.GOVERNMENT PLEADER SRI. R.PADMARAJ

RESPONDENTS/CLAIMANT & 2ND RESPONDENT IN L.A.R.:

1. HILARI,
KESTON TOWER, A5, DEVASWOM BOARD JUNCTION,
KOWDIAR, THIRUVANANTHAPURAM-695001.

2. THE SECRETARY,
THIRUVANANTHAPURAM DEVELOPMENT AUTHORITY,
THIRUVANANTHAPURAM-695001.

R1 BY ADV. SRI.J.HARIKUMAR

R1 BY ADV. SMT.SARANNYA U.NARAYANAN

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.846 of 2013

Dated this the 8th day of October, 2015.

JUDGMENT

Ramachandra Menon, J.

This appeal arises from the judgment and decree dated 22.02.2013 in LAR No.403/2009 of the II Additional Sub Court, Thiruvananthapuram. Pursuant to the 4(1) notification dated 29.12.2007 the land value was fixed as Rs.5,19,159/- per Are by the awarding officer, which, in turn, was enhanced on reference as Rs.26,40,000/- per Are based on the fixation of land value in LAR No.711/2008. This is sought to be challenged stating that the same is exorbitant.

2. Heard both the sides.

3. During the course of hearing, it is brought to the notice of this Court that exactly similar matter had already come up for consideration before this Court vide LAA No.351/2013, whereby the land value of similar land was fixed by this Court as Rs.28,00,000/-

per Are. Considering the same, it is seen that the land value fixed by the reference court in the instant case is well within limits. As such, no interference is warranted in this appeal and the same stands dismissed accordingly.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE

Sd/-

K. HARILAL, JUDGE

okb.