

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 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

LA.App..No. 768 of 2011 ()

AGAINST THE JUDGMENT IN LAR 63/2008 of SUB COURT, NEYYATTINKARA
DATED 09-04-2010

APPELLANT/RESPONDENT IN LAR:

STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.R.PADMARAJ

RESPONDENT/CLAIMANT IN LAR:

P.VIDHYADHARAN
'AMBADI', KIDARAKUZHI, KIDARAKUZHI P.O.
VENGANOOR, THIRUVANANTHAPURAM-695 523 (DIED)

ADDITIONAL RESPONDENTS

2. VASANTHI K., W/O P.VIDHYADHARAN
AMBADI, KIDARAKUZHI P.O., VENGANOOR
THIRUVANANTHAPURAM
3. ANEESH V., S/O P.VIDHYADHARAN
AMBADI, KIDARAKUZHI P.O., VENGANOOR
THIRUVANANTHAPURAM
4. ARYA V., D/O P.VIDHYADHARAN
AMBADI, KIDARAKUZHI P.O., VENGANOOR
THIRUVANANTHAPURAM
5. MEENAKSHI, M/O P.VIDHYADHARAN
AMBADI, KIDARAKUZHI P.O., VENGANOOR
THIRUVANANTHAPURAM

LEGAL HEIRS OF DECEASED SOLE RESPONDENT ARE IMPEADED VIDE
ORDER DATED 20.2.2015 IN I.A.NO.1387/2013

ADDL.2 -R 5 BY ADV. SRI.G.SUDHEER

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

L.A.A.No.768 OF 2011

Dated this the 24th day of February, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is filed by the State aggrieved by the judgment in L.A.R.No.63/2008 of the Sub Court, Neyyattinkara.

2. The property was acquired for the construction of bye-pass from Mukkola-Kanjiramkulam Reach I and the notification under Section 4(1) was published on 5.1.2005. The land value has been awarded by the land acquisition officer @ ₹56,530/- per Are. The Reference Court has refixed the same to ₹1,41,335/- per Are.

3. We heard the learned Senior Government Pleader for the State and the learned counsel for the claimant.

4. The reference court relied upon Ext.A1, copy of the judgment in L.A.R.No.17/2007, which relates to the very same acquisition. Therein, the notification under Section 4(1) was on 5.1.2005 and the reference court relied upon the same for enhancing the

land value. Therein also, value was enhanced 2 ½ times than the value fixed by the land acquisition officer. It is informed that no appeal has been filed against the said judgment and it has become final.

Since the relied upon judgment has become final, there is no reason to interfere with the present judgment also. Accordingly, the appeal is dismissed.

T.R.RAMACHANDRAN NAIR, JUDGE

P.V.ASHA, JUDGE

SV.

