

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.R. RAMACHANDRA MENON

&

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRA

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

LA.App..No. 328 of 2010 ()

AGAINST THE JUDGMENT IN LAR 169/2007 of PRL.S.C., THALASSERY
DATED 28-01-2009

APPELLANTS/RESPONDENT:

1. STATE OF KERALA
REP. BY THE DISTRICT COLLECTOR,
KANNUR.
2. THE EXECUTIVE ENGINEER,
NH DIVISION, KANNUR.
3. THE SPECIAL TAHSILDAR L.A.(NH),
KANNUR.

BY SR. GOVERNMENT PLEADER SRI R. PADMARAJ

RESPONDENT(S)/CLAIMANT:

PUNCHIYIL THAYICHI RAMAN
SREENILAYAM, NEAR DHARMADAM COLLEGE,
DHARMADAM. **(DIED AND DELETED AND R1 TO R3 IMPEADED.**

RESPONDENTS:

1. SRIJITH E.P., S/O PUNCHIYIL THAYICHI RAMAN
RESIDING AT SREENILAYAM, NEAR BRENNEN COLLEGE,
DARMADOM P.O., PIN – 670 106.
2. SUJITH E.P., S/O PUNCHIYIL THAYICHI RAMAN
RESIDING AT SREENILAYAM, NEAR BRENNEN COLLEGE,
DARMADOM P.O., PIN – 670 106.
3. SYAMJITH E.P., S/O PUNCHIYIL THAYICHI RAMAN
RESIDING AT SREENILAYAM, NEAR BRENNEN COLLEGE,
DARMADOM P.O., PIN – 670 106.

(SOLE RESPONDENT DIED AND DELETED FROM PARTY ARRAY AND R1 TO R3 (LEGAL HEIRS OF THE DECEASED CLAIMANT IN THE LAND ACQUISITION REFERENCE) IMPEADED VIDE ORDER DT. 4.4.13 IN I.A.588/13 IN LAA.328/10)

BY ADV. SRI. R. SURENDRAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON
04-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMACHANDRA MENON & ANIL K.NARENDRA, JJ.

L.A.A.No.328 OF 2010

DATED THIS THE 4th DAY OF NOVEMBER, 2015

JUDGMENT

P.R.RAMACHANDRA MENON, J.

This appeal arises from the judgment and decree dated 28.1.2009 in L.A.R.No.169/2007 on the file of the Principal Sub Court, Thalassery. Grievance is against the extent of enhancement ordered by the reference court in proceedings under Section 18 of the Land Acquisition Act.

2. Heard the learned Senior Government Pleader appearing for the appellants.

3. The award under challenge in fact is a common award passed by the reference court also in relation to L.A.R.No.168/2007. It is fairly conceded by the learned Senior Government Pleader that no appeal has been filed against the verdict in L.A.R.No.168/2007. This being the position, this Court finds that the finding of the reference court stands intact in L.A.R.No.168/07 and as such, filing of appeal in L.A.R.No.169/2007 alone will not be of any consequence.

Interference is declined. Appeal stands dismissed.

Sd/-
P.R.RAMACHANDRA MENON,
JUDGE

Sd/-
ANIL K.NARENDRA,
JUDGE

dsn

True copy

P.S.to Judge