

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE PIUS C.KURIAKOSE
&
THE HON'BLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI**

MONDAY, THE 23RD DAY OF JANUARY 2012/3RD MAGHA 1933

LAA.No. 893 of 2010 ()

LAR.31/2008 of II ADDL.SUB COURT,TRIVANDRUM

...

APPELLANT(S)/RESPONDENTS:

-
- 1. STATE OF KERALA REP. BY THE
DISTRICT COLLECTOR, THIRUVANANTHAPURAM.**
 - 2. THE EXECUTIVE ENGINEER,
PWD ROADS DIVISION, THIRUVANANTHAPURAM.**

BY SR.GOVERNMENT PLEADER SRI.C.R.SHYAM KUMAR

RESPONDENT(S)/CLAIMANTS:

-
- 1. SUDHEER, S/O.THANKAPPAN NADAR,
MELATHIL VEEDU, T.C.56/2016, NEDUMCAUD,
THIRUVANANTHAPURAM.**
 - 2. SAJITHA, SUBHA SADANAM,
THRIKKANNAPURAM, THIRUVANANTHAPURAM.**

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 23-01-2012, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Kss

**PIUS C.KURIAKOSE &
A.V.RAMAKRISHNA PILLAI, JJ**

LAA No.893 of 2010

Dated this the 23rd day of January 2012

JUDGMENT

Pius C.Kuriakose, J

This appeal preferred by the Government pertains to acquisition of land in Nemom Village for the construction of Thrikkannapuram-Poozhikunnu road.

2. Under the impugned award, the value of land has been re-fixed by the reference court at Rs.3,24,107/- per Are.

3. The learned Senior Government Pleader Mr.Shyam Kumar draws our attention to the judgments of this Court in LAA Nos.286 of 2011 and 400 of 2011. We find from those judgments that for identical lands acquired for the same purpose, this Court has re-fixed the value at Rs.2 lakhs Per Are. Following those judgments, we allow this appeal and re-fix the market

value of the land under acquisition at Rs.2 lakhs per Are.
This appeal is allowed, however without any order as to costs.

**Sd/- PIUS C.KURIAKOSE,
JUDGE**

**sd/- A.V.RAMAKRISHNA PILLAI,
JUDGE**

css/

The judgment dated 23.1.2012 in LAA No.893/2010
is recalled vide order dated 1.3.2013 in
R.P.No.185/2013 in LAA No.893/2010.

Sd/- Registrar (Judicial)

**PIUS C.KURIAKOSE &
A.V.RAMAKRISHNA PILLAI, JJ**

LAA No.893 of 2010

Dated this the 23rd day of January 2012

ORDER

Pius C.Kuriakose, J

This appeal is noted as defective for the reason that the second respondent, who was the second claimant before the reference court, is not served with notice. But, we find that the first respondent/first claimant has been served with notice. We find from the impugned award that both the respondents were appearing through the very same advocate before the reference court. We are of the view that the interest of the second respondent in the subject matter of this appeal is adequately

represented by the first respondent who is already served. The appeal need not be treated as defective and can be taken up for hearing and disposal.

PIUS C.KURIAKOSE, JUDGE

A.V.RAMAKRISHNA PILLAI, JUDGE

CSS/