

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

&

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

LA.App..No. 1010 of 2010 ()

(AGAINST THE JUDGMENT IN LAR 51/2006 of PRINCIPAL SUB
COURT,ATTINGAL DATED 30.09.2009)

APPELLANT/ RESPONDENT:

STATE OF KERALA, REP.BY THE DISTRICT
COLLECTOR, THIRUVANANTHAPURAM

BY ADV. GOVERNMENT PLEADER R.PADMARAJ

RESPONDENTS/CLAIMANTS:

1. K.JAGADAMMA, MANGALASSERY VEEDU,
THATTATHUMALA, PAZHAYAKUNNUMMEL

2. THE EXECUTIVE ENGINEER, KSTP/PULAMON,
KOTTARAKKARA.

R2 BY ADV. SRI.G.S.REGHUNATH

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON
29-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

.....
**C.M.Application No.1520 OF 2010
&
L.A.APPEAL No. 1010 OF 2010**
.....

Dated this the 29th October, 2015

JUDGMENT

P.R. Ramachandra Menon, J.

C.M. Application No.1520 of 2010

This is a petition to condone the delay of 174 days in filing the above appeal. Despite completion of service of notice, there is no representation for the respondents. Considering the explanation offered in the affidavit , the delay stands condoned.

APPEAL:

2. Regarding the merit of the case, the learned Government Pleader submits that exactly similar matter under the very same acquisition proceedings , had come up for consideration before this Court and the same has been finalised as per judgment dated 28.01.2011 in LAR No.2 of 2011, by enhancing the land value awarded by the Reference Court to an extent of Rs.76500/- per cent with all statutory benefits,

following the decision in LAA.No.917 of 2010. It is pointed out that the amount awarded by the Land Acquisition Officer in the instant case pursuant to 4(1) Notification published on 05.11.2002 was enhanced by the Reference Court from Rs.10796/- per cent to Rs.40000/- per cent and as such, the appellant does not intend to press the appeal.

The appeal is dismissed as not pressed.

**P.R. RAMACHANDRA MENON,
JUDGE**

**ANIL K. NARENDRA,
JUDGE**