

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON
&
THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

LA.App..No. 1568 of 2008 ()

AGAINST THE JUDGMENT IN LAR 23/2003 of SUB COURT, VADAKARA DATED 28-02-2006

APPELLANT(S):

STATE OF KERALA, REP. BY SPECIAL
TAHSILDAR(LA), KOYILANDY.

BY ADV. GOVERNMENT PLEADER SRI.R.PADMARAJ

RESPONDENT(S):

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1. K.P.NARAYANAN NAIR, S/O.KUNHIRAMA KURUP,
R/AT.PARAKKANDIYIL PO.KARAYAD. VIA., MEPPAYUR.
 2. K.P.SREEDHARAN NAIR, S/O.KUNHIRAMA KURUP
SREE NIVAS, PO.VILLIAPPALLY, VIA.VADAKARA.
 3. K.P.PADMANABHAN NAIR, S/O.KUNHIRAMA
KURUP, PRARTHANA PO.VILLIAPPALLY, VIA.VADAKARA.
 4. K.P.BHARATHI AMMA, D/O.KUNHIRAMA KURUP
PRABHA NIVAS, PO.KARAYAD, VIA.MEPPAYUR.
 5. K.P.SETHUMADHAVAN, MOOTHORA HOUSE
PO.VILLIAPPALLY, VIA.VADAKARA.
 6. K.P.CHANDRASEKHARAN NAIR,POURNAMI
NEAR NEW BUS STAND VADAKARA.
 7. SREEMANI AMMA, D/O.KUNHIRAMA KURUP
SREEDEVI PO., PUDUPPANAM, NEAR KOTTAKKADAVU ROAD
VADAKARA.
 8. K.P.RAMACHANDRAN, S/O.KUNHIRAMA KURUP, P
ATHANPURAYIL NEAR BALAVADI POST, CHORODE
VIALVADAKARA.
 9. RADHA DAMODARAN, W/O.K.P.DAMODHARAN
PUTHAN KALLAT PO., KADAMERI, VIA.VADAKARA.
 10. DR.D.SAJITH, S/O.DAMODARAN, PUTHEN
KALLAT, THANNEER PANTHAL.PO., KADAMERI VIA
VADAKARA.
 11. D.RANJITH, S/O.DAMODARAN, PUTHEN KALLAT,
THANNEER PANTAL, PO.KADAMERI, VIA.VADAKARA.
 12. SECRETARY, VADAKARA MUNICIPALITY.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 06-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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**P.R.RAMACHANDRA MENON
&
K.HARILAL, JJ.**

L.A.A.No.1568 of 2008

Dated this the 6th day of October, 2015

JUDGMENT

P.R.RAMACHANDRA MENON, J

This appeal arises from the judgment and decree dated 28.2.2006 passed by the Sub Court, Vadakara in L.A.R.No.23/2003. The property having an extent of 0.0275 hectares of Government land. The land in question was acquired for the purpose of construction of a link road connecting C.C.Road to Villiappally Road. Pursuant to 4(1) notification issued on 24.7.1999, the Land Acquisition Officer passed an award fixing the land value as Rs.86,564/-. This, according to the State is much on the higher side and hence sought to be scaled of by filing this appeal. By virtue of the delay involved, the same is sought to be condoned by filing an application in this regard.

2. When the matter was taken up for consideration, the learned Senior Government Pleader submits that in respect of the very same award, the authority by filing an appeal bearing no.322/2007. The said matter was considered along with the connected cases and a common judgment was passed on 29.9.2009 whereby, the land value was scaled down to Rs.30,625/- (rounded to Rs.31,000/-) per cent. This being the position, it is stated that the issue is already covered and nothing further remains

to be considered. In the above circumstance, this appeal is not necessary to be pursued and accordingly the same stands dismissed as not pressed.

**Sd/-
P.R.RAMACHANDRA MENON
JUDGE**

**Sd/-
K.HARILAL
JUDGE**

//TRUE COPY//

PA TO JUDGE

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