

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

RP.No. 431 of 2015 () IN LA.App..1408/2003

AGAINST THE ORDER/JUDGMENT IN LA.App. 1408/2003 of HIGH COURT OF KERALA
DATED 27.2.2015
REVIEW PETITIONER(S)/APPELLANT

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

BY SR. GOVERNMENT PLEADER SHRI R. PADMARAJ

RESPONDENT(S)/RESPONDENTS IN LAA:

1. MULLANTAKATH HUMSAKUNHI
S/O.ABBAS HAJI, P.O.KOOVAPPURAM, KUNHIMANGALAM
KANNUR DISTRICT.
2. M. KUNHABI
KUNHIMANGALAM, KOOVAPPURAM P.O, KANNUR DISTRICT.
3. K.P. KHADEEJA, W/O.LATE HAMSAKUNHI
KUNHIMANGALAM, KOOVAPPURAM P.O., KANNUR DISTRICT.
4. K.P. MUHAMMED SAFWAN
S/O.LATE HAMSAKUNHI, KUNHIMANGALAM, KOOVAPPURAM P.O.
KANNUR DISTRICT.
5. K.P. MUHAMMED SUFIYAN
S/O.LATE HAMSAKUNHI, KUNHIMANGALAM, KOOVAPPURAM P.O.
KANNUR DISTRICT.
6. K.P. SUFAIDA,
D/O.LATE HAMSAKUNHI, KUNHIMANGALAM, KOOVAPPURAM P.O.
KANNUR DISTRICT.
7. K.P. MUHAMMED SUHAYIL
S/O.LATE HAMSAKUNHI, KUNHIMANGALAM, KOOVAPPURAM P.O.
KANNUR DISTRICT.

R2-5,7,8 BY ADV. O.RAMACHANDRAN NAMBIAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 31-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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

R.P.No.431/2015 in LAA No.1408/2003

Dated this the 31st day of July, 2015

ORDER

Ramachandran Nair, J.

This review petition is filed by the State pointing out that an inadvertent mistake has occurred while disposing of the appeal. The appeal is filed from the judgment and decree in LAR No.1408/2003 of the Sub Court, Payyannur. The acquisition was for the purpose of Payyannur Municipality. After taking evidence in the matter, the reference court granted enhanced land value and assessed the market value at the rate of Rs.30,000/- per cent (Rs.74,100/- per are).

2. The appeal was disposed of recording the submission that the reference court has enhanced the land value only to Rs.10,000/- per cent and in a related appeal, viz. LAA No.1038/2009 the enhanced land value awarded by the reference court in LAR No.121/2000 was confirmed by this Court.

3. In the review petition it is pointed out that the finding in LAA

No.1038/2009 is that the compensation granted at Rs.10,000/- is just and reasonable.

Since there is an apparent error in the judgment, we find merit in the review petition. Accordingly, the review petition is allowed and the appeal is reposted for hearing next week. No costs.

(T.R. RAMACHANDRAN NAIR, JUDGE.)

(P.V. ASHA, JUDGE.)

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