

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 4897 of 2005 (G)

PETITIONER:

P.P. MOHAMMED YASEEN, MANAGING TRUSTEE,
MOULANA EDUCATIONAL CHARITY TRUST
KUTTAYI, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI. T. KRISHNAN UNNI (SR.)

RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY
THE COMMISSIONER AND SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT, SECRETARIAT, TRIVANDRUM.
2. THE DISTRICT COLLECTOR,
MALAPPURAM.
3. THE ASSISTANT EDUCATIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03-07-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE FORM OF REQUISITION FOR ACQUISITION OF LAND UNDER THE LAND ACQUISITION ACT TO THE 2ND RESPONDENT.
- EXHIBIT P2 : TRUE COPY OF THE SAID REVISION PETITION DATED 12.07.1994.
- EXHIBIT P3 : TRUE COPY OF THE LETTER DATED 04.02.1995 TO THE PETITIONER BY THE FIRST RESPONDENT.
- EXHIBIT P4 : RUE COPY OF THE LETTER DATED 01.03.1995.
- EXHIBIT P5 : TRUE COPY FO THE ORDER DATED 28.05.1995 PASSED BY THE FIRST RESPONDENT.
- EXHIBIT P6 : TRUE COPY FO THE JUDGMENT DATED 25.09.2003 IN OP NO. 8613/96.
- EXHIBIT P7 : TRUE COPY OF THE ORDER DATED 05.10.2004 ISSUED BY THE FIRST RESPONDENT.
- EXHIBIT P8 : TRUE COPY OF THE COMMISSIONER'S PLAN IN OS 271/99 M.C. TIRUR.
- EXHIBIT P9 : TRUE COPY FO THE COMMISSIONER'S REPORT DATED 27.10.1999 IN OS 271/99 M.C. TIRUR.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 4897 OF 2005

Dated this the 3rd day of July, 2015

JUDGMENT

The government has thought it fit not to acquire any land for the purpose of the aided school being run by the petitioner. There is neither a right on the petitioner to compel acquisition nor a corresponding duty on the respondents to acquire the land suggested. Ext.P7 order of the government declining the request of the petitioner in this regard calls for no interference in this writ petition.

The Writ Petition is dismissed.

**V. CHITAMBARESH
JUDGE**

ncd