

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

WA.No. 1805 of 2010 () IN WP(C).21912/2010

AGAINST THE ORDER IN WP(C) 21912/2010 of HIGH COURT OF KERALA
DATED 03-08-2010

APPELLANT(S)/RESPONDENTS 1 TO 3 :-

1. STATE OF KERALA REP.BY THE PRINCIPAL SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.
2. THE TAHSILDAR, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.
3. THE SPECIAL TAHSILDAR(LA) , NHDP-2,
THRISSUR-20.

BY SR.GOVERNMENT PLEADER SRI.P.I.DAVIS

RESPONDENT(S)/PETITIONER & 4TH RESPONDENT :-

1. THE CHALAKUDY MUNICIPAL COUNCIL,
CHALAKKUDY, THRISSUR DISTRICT, PIN - 680 307.
REP.BY THE CHAIRMAN
2. THE NATIONAL HIGHWAYS AUTHORITY OF INDIA
OFFICE OF THE PROJECT DIRECTOR, NO.8/1187
ARUMUGAN COLONY, CHANDRANAGAR, PALAKKAD DISTRICT
PIN-678 007.

R1 BY ADV. SRI.M.P.ASHOK KUMAR

R2 BY ADV. SRI.THOMAS ANTONY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 10-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

ASHOK BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J

W.A.No.1805 of 2010

Dated this the 10th March, 2015

JUDGMENT

Ashok Bhushan, Ag, CJ.

Heard the learned Government Pleader appearing for the appellants.

2. This Writ Appeal has been filed by the State against the order dated 3.8.2010 in W.P(C).No.21912 of 2010. The first respondent Chalakudy Municipal Council filed the Writ Petition seeking a direction for payment of compensation for acquisition of 0.0665 and 0.0017 hectares of land and building owned by the Municipality for widening of National Highway 17. The learned Single Judge passed an interim order on 3rd August, 2010 observing that non production of the order dated 27.5.1961 will not stand in the way of the Municipality receiving the amount and there was direction to the third respondent to disburse the amount within two weeks,

which shall be subject to the result of the Writ Petition.
The Writ Petition is still pending.

3. We are of the view that no orders are required to be adjudicated in the Writ Appeal. We only observe that if the amount as directed has not been paid, the same shall not be paid till final disposal of the Writ Petition. The Writ Petition itself may be expeditiously disposed of.

With the above observation, the Writ Appeal is disposed of.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs10/3/15