

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 4055 of 2008 (G)

PETITIONER(S):

**M. DINESH VARMA, S/O.MOHANA VARMA,
KILIMANOR PALACE, KILIMANOOOR,
TRIVANDRUM.**

**BY ADVS.SRI.S.SREEKUMAR,
SRI.P.MARTIN JOSE.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY,
GOVT. SECRETARIAT, TRIVANDRUM.**
- 2. THE DEPUTY COLLECTOR (LA),
TRIVANDRUM.**

BY SR. GOVT. PLEADER SRI.C.R. SYAMKUMAR.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE NOTIFICATION DATED 19/03/2003 ISSUED BY THE GOVERNMENT.
- EXT.P2 COPY OF THE PHOTOGRAPHS SHOWING THE BUILDINGS TO BE PROTECTED AS "ANCIENT MONUMENT".
- EXT.P3 COPY OF THE GAZETTE DATED 18/10/2006.
- EXT.P4 COPY OF THE OBJECTION DATED 03/12/2007 TO EXT.P3 NOTIFICATION.
- EXT.P5 COPY OF THE ACKNOWLEDGMENT CARD FOR RECEIPT OF EXT.P4 BY 2ND RESPONDENT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.M. SHAFFIQUE, J.

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W.P. (C) No. 4055 of 2008

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Dated this, the 27th day of October, 2015

J U D G M E N T

This writ petition is filed challenging Ext.P3 by which notification under Section 4(1) had been published by invoking the urgency clause under Section 17(4) of the Land Acquisition Act. Apparently Ext.P3 notification was issued on 18/10/2006. Initially, an order of stay has been granted by this Court, which was extended by two months on 10/4/2008. Thereafter, stay has not been extended.

Having regard to the fact that long time has elapsed after the issuance of the notification and there being no stay granted after 10/4/2008, I do not think that anything survives to be done in the matter or for considering the issue raised by the petitioner on merits. This writ petition is therefore disposed of permitting State and its authorities to take appropriate action in accordance with law.

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

27/10/2015