

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

WP(C).No. 6002 of 2013 (A)

PETITIONER:

**VASANTHAKUMARI, AGED 44 YEARS
W/O AMRITHLAL ROY, RESIDING AT BABA NIVAS
SREEKARIYAM P.O., THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY, REVENUE DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. DISTRICT COLLECTOR,
THIRUVANANTHAPURAM-695 001.**
- 3. LAND ACQUISITION SPECIAL TAHSILDAR,
LAND ACQUISITION OFFICE (GENERAL)
THIRUVANANTHAPURAM.**

R1 TO R3 BY GOVERNMENT PLEADER SRI. GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
23-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 6002 of 2013 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : NOTICE DATED 29.02.2012**
- P2 : NOTIFICATION DATED 07.05.2011**
- P3 : ADVOCATE COMMISSIONER'S REPORT DATED 12.04.2012 IN O.S. 503/2012
OF MUNSIF COURT, THIRUVANANATHAPURAM**
- P4: NOTICE DATED 03.11.2012**
- P5: TRUE COPY OF JUDGMENT IN W.P.(C). NO. 267352012 DATED 12.11.2012**
- P6: TRUE COPY OF THE NOTICE DATED 19.01.2013**
- P7: TRUE COPY OF THE OBJECTION TO EXHIBIT P-6 DATED 28.1.2013**
- P8: TRUE COPY OF THE NOTICE DATED 25.02.2013**

RESPONDENT(S)' EXHIBITS:-

- R3(a): A TRUE COPY OF THE REPLY DATED 11.2.2013**
- R3(b): A TRUE COPY OF THE NOTICE NO. LAC 51/12 DATED 16.2.2013**
- R3(c): A TRUE COPY OF THE NOTICE NO. LAC 64/2012 DATED 16.02.2013**
- R3(d): A TRUE COPY OF THE AWARD NO. 01/2013 DATED 16.02.2013**

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 6002 OF 2013

Dated this the 23rd day of July, 2015

JUDGMENT

The discrepancy in the Sub Division of the survey number of the property involved in the acquisition proceedings is pointed out. The Sub Division of Survey No. 1688 of Pettah Village in Thiruvananthapuram Taluk wherein the property is situated varies in the notices issued. The fact remains that Award No. 1/13 dated 16.02.2013 has been passed in respect of the property of the petitioner covered by L.A.C. Nos. 51/2012 and 64/2012. The amount has also been deposited in the Court of the Subordinate Judge of Thiruvananthapuram under Section 31 of the Land Acquisition Act, 1894.

2. The petitioner is free to get the amount released from the Court of the Subordinate Judge of Thiruvananthapuram and has also the liberty to apply for redetermination of compensation under Section 28A of the Land Acquisition Act, 1894.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**