

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 3904 of 2015 (K)

PETITIONER:

**HARIKUMAR, AGED 51 YEARS
S/O VASUDEVAN NAIR, KOZHIYATTU HOUSE, GOURI NAGAR
PONGUMOODU, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM, NOW RESIDING AT PARVATHI NIVAS
CHEKKALA MUKKU, SREEKARIYAM PANGAPPARA VILLAGE
THIRUVANANTHAPURAM.**

BY ADV. SRI.G.SUDHEER

RESPONDENTS:

- 1. MANAGING DIRECTOR, VIZHINJAM INTERNATIONAL SEA PORT LTD
THYCAUD, THIRUVANANTHAPURAM, PIN:695014.**
- 2. SPECIAL TAHSILDAR
(LAND ACQUISITION), VIZHINJAM INTERNATIONAL
SEA PORT LTD., VIZHINJAM, THIRUVANANTHAPURAM-695001.**
- 3. THE VILLAGE OFFICER
KOTTUKAL-695001.**

BY GOVERNMENT PLEADER SRI. T.R. RAJESH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 3904 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS :-

EXHIBIT P1: TRUE COPY OF THE SETTLEMENT DEED NO.1998/13 EXECUTED IN FAVOUR OF PETITIONER AND HIS WIFE RAJALEKSHMI DATED 13.9.1993.

EXHIBIT P2: TRUE COPY OF THE NOTICE IN LAC NO.646/2012 DATED 12.12.2012 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXHIBIT P3: TRUE COPY OF THE TAX RECEIPT DATED 16.9.2014 IN FAVOUR OF THE PETITIONER AND HIS WIFE ISSUED BY KOTTUKAL VILLAGE OFFICE.

EXHIBIT P4: TRUE COPY OF CERTIFICATE ISSUED BY THE VILLAGE OFFICER, KOTTUKAL SHOWING THE EXTENT OF LAND IN RE-SY.NO.254/7 IN THE NAME OF THE PETITIONER AND HIS WIFE DATED 16.9.2014.

EXHIBIT P5: TRUE COPY OF THE FAIR AREA LIST WHICH SHOWS THAT THE AREA IN RE-SY.NO.254/7 IS ENHANCED TO 11.40 FROM TO 10.15 ARES.

EXHIBIT P6: TRUE COPY OF LETTER NO.384/13 DATED 7.1.2013 SENT BY THE VILLAGE OFFICER, KOTTUKAL TO THE SPECIAL TAHSILDAR (LA).

EXHIBIT P7: TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT DATED 14.8.2014.

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 3904 OF 2015

Dated this the 06th day of February, 2015

JUDGMENT

An extent of 10.15 ares of land in R.S. No. 254/7 of Kottukal Village belonging to the petitioner was acquired. The petitioner contends that the balance extent of three cents of land in that survey number belonging to him and his wife cannot be put to profitable use. The prayer of the petitioner is that the balance three cents shall also be acquired for the first respondent and the due compensation paid.

2. Ext. P7 representation put in by the petitioner in this regard is pending consideration with the first respondent. I direct the first respondent to consider Ext.P7 representation with notice to the petitioner and the second respondent. The needful shall be done within a period of two months from the date of production of a copy of this judgment.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS