

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 5604 of 2015 (A)

PETITIONER:

NEENA DEVI T., AGED 53 YEARS,
SHANKAR NIVAS, EDAKULANGARA P.O.,
KARUNAGAPILLY, KOLLAM - 690 523.

BY ADVS. SRI. C. HARIKUMAR
SMT. C. B. ANUROOPA

RESPONDENTS:

1. THE STATE OF KERALA REPRESENTED BY
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT, FORT P.O.
THIRUVANANTHAPURAM - 695 023.
2. THE DISTRICT COLLECTOR,
COLLECTORATE,
KOLLAM - 691 013.
3. THE REVENUE DIVISION OFFICER,
COLLECTORATE, KOLLAM-691013.
4. KERALA FEEDS LTD.,
KALLETUMKARA, THRISSUR-680683
REPRESENTED BY ITS MANAGING DIRECTORS.
5. SPECIAL TAHSILDAR (LA) NO. I,
LAND ACQUISITION, KOLLAM-691001.

R5 BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN
R4 BY ADV. SRI. M. GOPIKRISHNAN NAMBIAR
R4 BY ADV. SRI. P. GOPINATH
R4 BY ADV. SRI. P. BENNY THOMAS
R4 BY ADV. SRI. K. JOHN MATHAI
R4 BY ADV. SRI. JOSON MANAVALAN
R4 BY ADV. SRI. KURYAN THOMAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : COPY OF G.O.(RT)NO.939/08/AD ISSUED BY 1ST RESPONDENT TO ACQUIRE LAND FOR SETTING UP OF A UNIT OF 4TH RESPONDENT DATED 21.5.2008 ALONG WITH TYPED COPY.
- EXHIBIT P2 : COPY OF THE RECOMMENDED LETTER OF 2ND RESPONDENT TO THE GOVERNMENT DATED 26.9.2011 ALONG WITH TYPED COPY.
- EXHIBIT P3 : COPY OF THE COMMUNICATION ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER DATED 02.01.2012.
- EXHIBIT P4 : COPY OF THE RECEIPT EVIDENCING REPRESENTATION SEND BY THE PETITIONER.
- EXHIBIT P5 : COPY OF GAZETTE NOTIFICATION DATED 10.10.2013.
- EXHIBIT P6 : COPY OF GAZETTE NOTIFICATION DATED 25.2.2014.
- EXHIBIT P7 : COPY OF NOTICE ISSUED BY THE 2ND RESPONDENT DATED 6.12.2014.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 5604 OF 2015

Dated this the 9th day of June, 2015

JUDGMENT

The prayer in the writ petition is to fix an appropriate price to the property of the petitioner and to finalise the land acquisition proceedings. The acquisition is for the purpose of the fourth respondent Company.

2. The fifth respondent has filed a counter affidavit to the writ petition. It is stated therein that the fourth respondent Company has withdrawn the requisition for acquiring the land. Nobody can compel that his property has to be acquired under the Land Acquisition Act. The petitioner can ventilate his grievance if and when his property is acquired.

The Writ Petition is dismissed. No costs.

**V. CHITAMBARESH
JUDGE**

ncd