

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE V.CHITAMBARESH**

**WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936**

**WP(C).No. 5617 of 2015 (B)**  
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**PETITIONER:**  
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**UMMAR SAFYAN  
S/O. SULAIMAN HAJI, MECHERI HOUSE, KARUVAMBRAM AMSOM  
DESOM, P.O.KARUVAMBRA - 676 123, MALAPPURAM.**

**BY ADVS.SRI.M.K.CHANDRA MOHANDAS  
SMT.K.K.RAZIA  
SRI.K.SATHIYANANDAN PILLAY  
SRI.SHAKTHI PRAKASH  
SRI.PRATHEEK VISWANATHAN  
JISHNU M.L**

**RESPONDENTS:**  
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**1. THE SPECIAL TAHSILDAR  
LAND ACQUISITION (G), MALAPPURAM - 676 505.**

**2. THE DISTRICT COLLECTOR  
MALAPPURAM - 676 505.**

**BY GOVERNMENT PLEADER SRI. GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**DCS**

**WP(C).No. 5617 of 2015 (B)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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- P1 - A COPY OF THE NOTICE C 1453/2012(1) DT. 04.8.14**
- P2 - THE COPY OF THE AGREEMENT DT. 25.9.14 ENTERED BY THE PETITIONER UNDER PROTEST.**
- P3 - A COPY OF THE RELEVANT PAGES OF AWARD NO. 2/14 PASSED BY THE 2ND RESPONDENT VIDE NO. C 1354/12 DT. 21.8.14.**

**RESPONDENT(S)' EXHIBITS:-**  
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**EXHIBIT R(a)- COPY OF THE ORDER DATED 05.07.2014**

**/TRUE COPY/**

**P.A. TO JUDGE**

**DCS**

**V. CHITAMBARESH, J**

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**W.P.(C). NO. 5617 OF 2015**  
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Dated this the 11<sup>th</sup> day of March, 2015

**JUDGMENT**

The price of the property was arrived at by a negotiated settlement as revealed by Ext.P2 agreement. The same is without prejudice to the right of the petitioner to claim further compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Further enhancement of compensation would arise only after the Rules are framed under the said Act as preserved in Ext.R(a) Government Order. Therefore no question of a reference under Section 18 of the Land Acquisition Act, 1894 arises as at present.

The writ petition is dismissed subject to the above.

**V. CHITAMBARESH  
JUDGE**

DCS