

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 6051 of 2015 (F)

PETITIONER:

**JOSEPH MATHEW, AGED 60 YEARS
S/O.MATHEW, CHEMMARAPPILLIL HOUSE, CENTRE CITY
MANKULAM POST, IDUKKI DIST**

**BY ADVS.SRI.JOHNSON MANAYANI
SRI.BENHUR JOSEPH MANAYANI
SRI.JEEVAN MATHEW MANAYANI**

RESPONDENTS:

- 1. THE DISTRICT COLLECTOR,
PAINAVU, IDUKKI DISTRICT - 685 602**
- 2. PROJECT MANAGER
MANKULAM, HYDRO ELECTRIC PROJECT, MANKULAM
IDUKKI DISTRICT-685565**
- 3. SECRETARY TO POWER DEPARTMENT
SECRETARIAT, TRIVANDRUM - 695 001**
- 4. KERALA STATE ELECTRICITY BOARD
VYDHUTHI BHAVAN, PATTOM P O, TRIVANDRUM
REP BY ITS SECRETARY-695001**
- 5. STATE OF KERALA
REP. BY ITS SECRETARY, SECRETARIAT
THIRUVANANTHAPURAM-695001**

**R1 & R5 BY GOVERNMENT PLEADER SRI. GIKKU JACOB
R2 TO R4 BY ADV. SRI.K.M.SATHYANATHA MENON, SC, KSEB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
03-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 6051 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- THE TRUE COPY OF THE ORDER PASSED BY THE GOVERNMENT OF KERALA, DTD 30/6/2008**
- P2:- THE TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE DISTRICT COLLECTOR, DTD 29/2/2012**
- P3:- TRUE COPY OF THE PETITION FILED BY THE PETITIONERS BEFORE THE RESPONDENTS 3 AND 4 DTD 27/3/2012**
- P4:- THE TRUE COPY OF THE JUDGMENT IN WPC 8222 OF 2012 DTD 11/4/2012**
- P5:- THE TRUE COPY OF THE NOTICE ISSUED BY THE FIRST RESPONDENT DTD 1/10/2011**
- P6:- THE TRUE COPY OF THE LETTER DTD 8/2/2012 OF THE 2ND RESPONDENT TO THE PRESIDENT OF THE MANKULAM GRAMA PANCHAYATH**
- P7:- THE TRUE COPY OF THE LETTER ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER DTD 12/2013**

RESPONDENT(S)' EXHIBITS:-

- R1(a) - TRUE COPY OF THE RELEVANT PORTION OF THE MINUTES OF THE PURCHASES COMMITTEE ON 22.05.2015**

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 6051 OF 2015

Dated this the 03rd day of July, 2015

JUDGMENT

The petitioner has not yet acceded to the price offered by the District Level Purchase Committee. The petitioner shall appear before the first respondent District Collector who heads the Purchase Committee at 11.A.M. on 09.07.2015. An endeavour shall be made to arrive at a price for which the property of the petitioner could be purchased.

2. The respondents are free to initiate proceedings in case no settlement is arrived as above. The proceedings shall be initiated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The matter cannot brook much delay since the Mankulam Hydro Electric Project has been pending for long.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS