

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. 7377 of 2014 (V)

PETITIONER:

CHERIYAKOYA M.P., PURADAM HOUSE,
KAVARATTI, U.T OF LAKSHADWEEP.

BY ADVS. SRI. JOBY JACOB PULICKEKUDY
SRI. ANIL GEORGE
SRI. K.S. SUMEESH

RESPONDENTS:

1. THE UT OF LAKSHADWEEP, REPRESENTED BY
ITS ADMINISTRATOR, UT OF LAKSHADWEEP
KAVARATTI - 682 555.
2. THE SUB DIVISIONAL OFFICER
KAVARATTI, UT OF LAKSHADWEEP-682 555.
3. THE SUPPLY AND MARKETING CO-OPERATIVE SOCIETY
KAVARATTI, REPRESENTED BY ITS SECRETARY
UT OF LAKSHADWEEP-682 555.
4. THE FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS
UT OF LAKSHADWEEP, KAVARATTI
REPRESENTED BY ITS DIRECTOR-682 555.
5. THE DEPUTY COLLECTOR (HQ)
LAND ACQUISITION, UT OF LAKSHADWEEP
KAVARATTI-682 555.

R1-R5 BY ADV. SRI. S. RADHAKRISHNAN, SC, LAKSHADWEEP ADMN

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 - TRUE PHOTOCOPY OF LETTER DATED 04.07.2012.
- EXHIBIT P2 - TRUE PHOTOCOPY OF LETTER DATED 29.10.2012.
- EXHIBIT P3 - TRUE PHOTOCOPY OF LETTER DATED 31.10.2013.
- EXHIBIT P4 - TRUE PHOTOCOPY OF LETTER DATED 02.07.2013.
- EXHIBIT P5 - TRUE PHOTOCOPY OF CONSENT LETTER DATED 29.04.2013.
- EXHIBIT P6 - TRUE PHOTOCOPY OF LETTER ALONG WITH FILING NOTE GIVEN UNDER THE RIGHT TO INFORMATION ACT.
- EXHIBIT P7 - TRUE PHOTOCOPY OF LETTER DATED 16.08.2012 ISSUED BY THE LAND ACQUISITION COLLECTOR
- EXHIBIT P8 : TRUE PHOTOCOPY OF LAND REGISTER EXTRACT OF KAVARATTI
- EXHIBIT P9 : TRUE PHOTOCOPY OF SKETCH ISSUED BY THE DEPUTY COLLECTOR IN RESPECT OF THE SUBJECT PROPERTY.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 7377 OF 2014

Dated this the 9th day of June, 2015

JUDGMENT

True it is that there was an initial proposal to acquire the land of the petitioner for the expansion of LPG godown. But no preliminary notification under Section 4(1) of the Land Acquisition Act, 1894 was passed. No land acquisition proceedings are pending as on today for the petitioner to have any grievance. Nobody can compel that his land has to be acquired under the Land Acquisition Act, 1894.

2. The property of the petitioner is still in his possession. The petitioner is free to urge his contentions as and when land acquisition proceedings are initiated. Such proceedings can only be under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The Writ Petition fails and is dismissed.

**V. CHITAMBARESH
JUDGE**