

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 9216 of 2015 (B)

PETITIONERS:

1. KALADEVI DACOSTA, SHEELA MANDIRAM,
BHOOHANKKULAM.P.O., KOLLAM
REPRESENTED BY HER POWER OF ATTORNEY
SANTHOSH KUMAR, S/O.ANANDAN, SHEETAL,
MUNDACKAL, KOLLAM - 691 001.
2. SHEELA BHASKARAN, SHEELA MANDIRAM,
BHOOHAKKULAM .P.O., KOLLAM
REPRESENTED BY HER POWER OF ATTORNEY
SANTHOSH KUMAR, S/O. ANANDAN, SHEETAL,
MUNDACKAL, KOLLAM - 691 001.

BY ADV. SRI.G.BHAGAVAT SINGH

RESPONDENTS:

1. THE SPECIAL TAHSILDAR (LA-NO.II), KOLLAM,
OFFICE OF THE SPECIAL TAHSILDAR (LA-NO.II),
KUNDARA.P.O., KOLLAM - 691 501.
2. THE CHIRAKKARA GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY,
CHIRAKKARA.P.O., KOLLAM - 691 578.
3. THE SUB REGISTRAR, CHATHANOR SUB REGISTRY
OFFICE, CHATHANOR.P.O., KOLLAM - 691 572.

BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN

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

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : PHOTO COPY OF THE GENERAL POWER OF ATTORNEY
EXECUTED BY THE PETITIONERS IN FAVOUR OF THE POWER OF
ATTORNEY DATED 16.212.2014.
- EXT.P2 : PHOTO COPY OF THE LAND TAX RECEIPT DT.27.08.2014 ISSUED BY
THE VILLAGE OFFICER, PARAVOOR VILLAGE.
- EXT.P3 : PHOTO COPY OF THE LAND TAX RECEIPT DT.27.08.2014 ISSUED BY
THE VILLAGE OFFICER, PARAVOOR VILLAGE.
- EXT.P4 : PHOTO COPY OF THE NOTIFICATION DTD. 29.04.2011 UNDER
SECTION 4 (1) OF THE ACT PUBLISHED IN THE DESABHIMANI
DAILY.
- EXT.P5 : COPY OF THE ENCUMBRANCE CERTIFICATE ISSUED BY THE 3RD
RESPONDENT TO THE 1ST PETITIONER.
- EXT.P6 : COPY OF THE ENCUMBRANCE CERTIFICATE ISSUED BY THE 3RD
RESPONDENT TO THE 2ND PETITIONER.
- EXT.P7 : COPY OF THE ELEVATION OF THE PROPOSED BUILDING.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 9216 OF 2015

Dated this the 2nd day of June, 2015

JUDGMENT

Ext.P4 notification under Section 4 of the Land Acquisition Act, 1894 has not been followed by a notification under Section 6 thereof within the stipulated period. It necessarily follows that the proceedings initiated in respect of the property of the petitioners under the Land Acquisition Act, 1894 have lapsed. All other contentions are left open to be agitated as and when fresh proceedings for land acquisition are initiated in respect of the same property. The respondents shall make the necessary entry in the revenue records as regards the lapse of the land acquisition.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd