

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

WP(C).No. 19937 of 2005 (W)

PETITIONER(S):

- 1. STATE OF KERALA,
REP. BY DISTRICT COLLECTOR, THIRUVANANTHAPURAM.**
- 2. SPECIAL LAND ACQUISITION OFFICER,
PWD, SOUTHERN RANGE, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

RESPONDENT(S):

**AYSHA BEEVI,
D/O. JAMEELA BEEVI, NJARAVILA VEEDU,
MANAMBOORU, ATTINGAL.**

BY ADV. SMT. M. HEMALATHA

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXT. P-1: COPY OF COMPLAINT NO. 953/02 DTD 11.09.2002 PREFERRED BY THE
RESPONDENT BEFORE THE LOK AYUKTA.

EXT. P-2: ORDER DTD 24.04.2004 OF THE LOK AYUKTA IN COMPLAINT
NO.953/02.

EXT. P-3: ORDER DTD 20.01.2005 OF THE LOK AYUKTA IN COMPLAINT
NO.953/02.

EXT. P-4: ORDER DTD 26.05.2005 OF THE LOK AYUKTA IN COMPLAINT
NO.953/02.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

V. CHITAMBARESH, J.

W.P.(C) No. 19937 of 2005

Dated this the 21st day of July, 2015

JUDGMENT

The failure to make a reference under Section 28(A) of the Land Acquisition Act, 1894 is the subject matter of Ext.P1 complaint. The Kerala Lok Ayukta has no jurisdiction to adjudicate the complaint of this nature (see:- ***State of Kerala V. Bernad [2002 (2) KLT 254] (DB)***). It goes without saying that Exts.P2, P3 and P4 orders therein are without jurisdiction. I quash Ext.P1 complaint as well as Exts.P2 to P4 orders passed therein. The remedy of the respondents to move other appropriate forum is however safeguarded.

The writ petition is allowed. No costs.

Sd/-
**V. CHITAMBARESH
JUDGE**

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