

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

WP(C).No. 15166 of 2013 (U)

PETITIONER(S):

NARAYANAN
S/O.VELAYUDHAN, NAMBIARATHUPARAMBIL HOUSE, NAYATHODU
ANGAMALY.

BY ADVS.SMT.V.GEETHA POTTI
SRI.V.N.SUBASH

RESPONDENT(S):

SPECIAL THAHASILDAR
LAND ACQUISITION (RAILWAY), PERUMBAVOOR-683542.

R1 BY ADV. GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 15166 of 2013 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 : TRUE COPY OF THE NOTICE OF AWARD IN LAC 131/2007 DT.3-5-2008
ISSUED BY THE RESPONDENT TO THE PETITIONER.

EXHIBIT P2 : TRUE COPY OF THE APPLICATION FOR REFERENCE TO THE COURT
FILED BY THE PETITIONER BEFORE THE RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.15166 of 2013

Dated this the 23rd day of July, 2015

J U D G M E N T

Ext.P2 application purportedly filed under Section 18 of the Land Acquisition Act, 1894 does not contain the signature of the petitioner or a date even. The Award in LAC.No.131/2007 was passed on 20.5.2008 and the notice under Section 12(2) of the said Act was received on 26.5.2008. Ext.P2 application was filed long thereafter beyond the period of six weeks on 20.1.2009 only.

2. Ext.P2 application is obviously barred by limitation and therefore cannot be directed to be disposed of in accordance with law. The petitioner is ofcourse not without any remedy since he can as well invoke Section 28A of the Land Acquisition Act, 1884. Such application can be filed soon after the land acquisition references pending in respect of the property covered by the same notification are disposed of.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.