

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 13392 of 2015 (Y)

PETITIONER:

K SREEKUMAR, AGED 70 YEARS,
S/O.LATE KRISHNA PILLAI, URAVILAKOM,
THAMPURAN NAGAR, STUDIO ROAD,
NEMOM VILLAGE,
THIRUVANANTHAPURAM - 695 020.

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENTS:

1. THE DISTRICT COLLECTOR, THIRUVANANTHAPURAM
COLLECTORATE, CIVIL STATION,
KUDAPPANAKUNNU, THIRUVANANTHAPURAM.
2. SPECIAL TAHSILDAR(L.A) (NH),
OFFICE OF THE SPECIAL TAHSILDAR L.A(N.H)
P.M.G JUNCTION, THIRUVANANTHAPURAM.

BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1	TRUE PHOTOCOPY OF NOTICE DATED 26-3-2013 ISSUED BY 2ND RESPONDENT
EXT.P2	TRUE PHTOOCOPIES OF THE CONSENT DEEDS SIGNED AND EXECUTED UPON NEGITIATED SETTLEMENT ON 6-4-2013
EXT.P3	TRUE PHTOOCOPY OF NOTICE DATED 25-4-2013 ISSUED BY 2ND RESPONDENT
EXT.P4	TRUE PHTOOCOPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT ON SUBMISSION OF THE AFORESAID DOCUMENTS ON 21-05-2013
EXT.P5	TRUE PHTOOCOPY OF AWARD ENQUIRY NOTES DATED 21-5-2013
EXT.P6	TRUE PHTOOCOPY OF JUDGMENT DATED 16-07-2014 OF THE HON'BLE HIGH COURT IN WPC NO 18135/2014
EXT.P7	TRUE PHOTOCOPY OF OF THE JUDGMENT DATED 30-03-2015 OF THIS HON'BLE HIGHC OURT IN W.P(C) NO 29884/2014
EXHBITI P8	TRUE PHOTOFOFY OF APPLICATION UNDER RIGHT TO INFORMATION ACT FILED BEFORE THE 1ST RESPONDENT ALONG WITH THE ACKNOWLEDGEMENT CARD
EXHBITI P9	TRUE PHTOOCOPY OF APPLICATION DATED 20-04-2015 UNDER THE RIGHT TO INFORMATION ACT FILED IN THE SUB COURT,THIRUVANANTHAPURAM
EXHBIIT P10	TRUE PHTOOCOPY OF REPLYD ATED 21-04-2015 ISSUED FROM SUB COURT,THIRUVANANTHAPRUAM
EXHBITI P11	TRUE PHTOOCOPY OF NOTICE DATED 23-4-2015 SERVED ON THE PETITIONER ON 27-04-2015 FROM THE OFFICE OF THE SECOND RESPONDENT
EXHIBIT P12	TRUE PHTOOCOPY OF POSSESSION NOTICE DATED 23-4-2015 SERVED ON THE PETITIONER ON 27-04-2015

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 13392 OF 2015

Dated this the 5th day of June, 2015

JUDGMENT

The petitioner is free to withdraw the amount deposited in court subject to the directions in Ext.P7 judgment in WP(C) No. 29884/2014. This however will be without prejudice to the right of the petitioner for further determination of compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. This contingency will arise only if the award for land acquisition is passed on or after 01.01.2014. Needless to say that an award will be passed under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 if no award was passed before 01.01.2014.

The Writ Petition is disposed of. No costs.

**V. CHITAMBARESH
JUDGE**

ncd