

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

WP(C).No. 13547 of 2015 (P)

PETITIONERS:

1. CHELLAPPAN S.
MANCHEL, T.C.53/2493, KRA-1
NEMON, THIRUVANANTHAPURAM.
2. THANKAMONY,
MANCHEL, T.C.53/2493, KRA-1
NEMON, THIRUVANANTHAPURAM.
3. MANJESH CHELLAN,
MANCHEL, T.C.53/2493, KRA-1
NEMON, THIRUVANANTHAPURAM.

BY ADV. SRI.BASANT BALAJI

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
THE SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM-695001.
3. THE SPECIAL TAHSILDAR,
LAND ACQUISITION(N.H),
THIRUVANANTHAPURAM - 695 001.

R2,R3 BY SENIOR GOVERNMENT PLEADER SRI. C.S. MANILAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05-08-2015,
ALONG WITH WPC. 13561/2015, WPC. 13598/2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1	TRUE COPY OF THE DECLARATION NO.LRC 17488/2013 DT 07/3/2013
EXT.P2	TRUE COPY OF THE NOTICE DTD 24/04/2013 SERVED ON THE PETITIONERS
EXT.P3	TRUE COPY OF THE CLAIM STATEMENT FILED BY THGE IST AND 2ND PETITIONER
EXT.P4	TRUE COPY OF THE CLAIM STATEMENT FILED BY THE 3RD PETITIONER
EXT.P5	TRUE COPY OF THE AWARD NOTICE DTD 23/04/2015
EXT.P6	TRUE COPY OF THE NOTICE U/S 15(3)DTD 23/04/2015Q
EXT.P7	TRUE COPY OF THE CIRCULAR BY THE IST RESPONDENT DTD 04/03/2014
EXT.P8	TRUE COPY OF THE CIRCULAR NO.L.R C 18002/2014 DTD 20/05/2014
EXT.P9	TRUE COPY OF THE NOTICE OF AWARD UNDER SECTION 77(2)OF THE RFCTLARR ACT IN FAVOUR OF SHAFEERA
EXT.P10	TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS
EXT.P11	TRUE COPY OF THE REPRESENTATION DTD 02/05.2015 FILED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NOs. 13547, 13598 & 13561 OF 2015

Dated this the 5th day of August, 2015

JUDGMENT

It is conceded by all that an award has been passed under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. No income tax or stamp duty shall be levied on the award made under the above Act in view of Section 96 thereof. The right of the petitioner for redetermination of the compensation under Section 64 of the said Act is also preserved. The respondents are free to surge ahead with the acquisition proceedings including taking possession of the property.

2. The submission of the Senior Government Pleader that the amount due under the award would be paid to the petitioners within a period of two weeks is also recorded.

These Writ Petitions are disposed of.

**V. CHITAMBARESH
JUDGE**