

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 2ND DAY OF JULY 2015/11TH ASHADHA, 1937

WP(C).No. 14509 of 2014 (K)

PETITIONER:

**CHADAYAMANGALAM GRAMA PANCHAYATH,
CHADAYAMANGALAM P.O, KOLLAM DISTRICT,
REPRESENTED BY ITS SECRETARY.**

BY ADV. SRI.ANCHAL C.VIJAYAN

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY
THE LAND REVENUE COMMISSIONER,
PUBLIC OFFICE BUILDING,
THIRUVANANTHAPURAM, PIN - 695001**
- 2. THE DISTRICT COLLECTOR,
KOLLAM, PIN - 691001.**
- 3. THE SPECIAL TAHZILDAR,
L.A NO II, KOLLAM, PIN - 691001.**
- 4. GOVINDA PILLAI RAMACHANDRA PILLAI,
NEELAMBARI VEEDU, CHADAYAMANGALAM P.O,
KOLLAM DISTRICT, PIN - 691534.**

R1 TO R3 BY GOVERNMENT PLEADER SRI.GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02-07-2015 ALONG WITH WPC. 14510/2014 & CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 14509 of 2014 (K)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1 : CERTIFIED COPY OF THE JUDGMENT DATED 26-11-2013 IN
LAR NO.13/2003 ON THE FILES OF THE SUB COURT, KOTTARAKKARA.**

**EXHIBIT P2 : CERTIFIED COPY OF THE DECREE IN L.A.R NO 13/2003 ON THE FILES
OF THE SUB COURT, KOTTARAKKARA.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

V.CHITAMBARESH, J.

W.P (C) Nos.14509, 14510, 14511, 14512, 14514 &
15864 of 2014

Dated this the 2nd day of July, 2015

J U D G M E N T

Ext.R4(a) common judgment in LAA.No.208/2010 and connected cases remanded 18 Land Acquisition References to the trial court for fresh consideration. The very purpose of the remand was to give an opportunity to the claimants and the State as well as the Requisitioning Authority (the Panchayat) to adduce further evidence if needed. All the 18 Land Acquisition References have been disposed of by a common judgment dated 26.11.2013 by the court of the Subordinate Judge.

2. The Additional Government Pleader had appeared not only on behalf of the State of Kerala but also on behalf of the Secretary, Grama Panchayat in all the cases. The Additional Government Pleader had even cross examined one of the claimants as evident by Ext.R4(b) proceedings. It is futile for the petitioner to contend that the Requisitioning Authority has not been impleaded in 12 out of the 18 Land Acquisition References. The mere fact that the Requisitioning Authority (the Panchayat) was omitted to be shown in

the cause title in six cases cannot advance the case of the petitioner.

3. It is pointed out that the Requisitioning Authority (the Panchayat) has already filed Land Acquisition Appeals against the judgment passed in the 12 Land Acquisition References. Needless to say that the petitioner can also file an appeal against the judgment in the remaining 6 Land Acquisition References with a petition for leave, if necessary. I do not find any sufficient ground to quash the revised judgment passed by the Land Acquisition Court in proceedings under Article 226 of the Constitution of India.

The writ Petitions are dismissed subject to the above reservation.

Sd/-
V.CHITAMBARESH,
Judge.

nj.