

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 14576 of 2015 (V)

PETITIONERS:

1. PREMACHANDRAN, PAYYIKKATTU HOUSE,
CHENGAMANAD P.O., ALUVA-683 578
ERNAKULAM DISTRICT.
2. K.V.SIVADAS, LAKSHMI MANDIRAM,
CHENGAMANAD P.O., ALUVA-683 578
ERNAKULAM DISTRICT.
3. K.K.MOHAMMED SAGEER, KATTAPILLY HOUSE,
CHENGAMANAD PO, ALUVA-683 578
ERNAKULAM DISTRICT.
4. LAILA SAGEER, KATTAPILLY HOUSE,
CHENGAMANAD PO, ALUVA-683 578
ERNAKULAM DISTRICT.

BY ADVS. SRI.A.JAYASANKAR
SRI.C.V.MANUVILSAN
SRI.MANU GOVIND
SRI.S.SABARINADH

RESPONDENTS:

1. THE STATE OF KERALA REPRESENTED BY
THE SECRETARY OF PUBLIC WORKS DEPARTMENT
THIRUVANANTHAPURAM-695 001.
2. THE DISTRICT COLLECTOR, ERNAKULAM,
COLLECTORATE, KAKKANAD PO-682030.
3. THE SPECIAL TAHSILDAR,
NATIONAL HIGHWAY 11, ALUVA-683 101.
4. THE EXECUTIVE ENGINEER,
PWD ROAD DIVISIONS,
KAKKANAD, ERNAKULAM.
5. THE VILLAGE OFFICER, CHENGAMANAD,
CHENGAMANAD PO-683 578.

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6. THE ASSISTANT EXECUTIVE, OFFICE OF
ASSISTANT EXECUTIVE ENGINEER
(ROAD DIVISIONS), PARUR, ALUVA PO-683 101.

7. THE EXECUTIVE ENGINEER,
PWD ROAD DIVISIONS, ALUVA,
ALUVA PO-683 101.

BY SENIOR GOVERNMENT PLEADER THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : A TRUE PHOTOCOPY OF THE NOTICE NO.A5-344/12, ISSUED BY THE 3RD RESPONDENT HEREIN TO THE 1ST PETITIONER DATED 5-2-2014.
- EXHIBIT P2 : A TRUE COPY OF THE OBJECTION PREFERRED BY THE PETITIONER WITH THE 3RD RESPONDENT.
- EXHIBIT P3 : A TRUE PHOTOCOPY OF THE NOTICE NO.A5-344/12 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER DATED 14-3-2014.
- EXHIBIT P4 : A TRUE PHOTOCOPY OF THE NOTICE NO.A5-344/12 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER DATED 21-4-2014.
- EXHIBIT P5 : A TRUE PHOTOCOPY OF THE OBJECTION/REPRESENTATION PREFERRED BY THE PETITIONER WITH THE 3RD RESPONDENT SEEKING ALTERATION OF EXISTING PLANS.
- EXHIBIT P6 : A TRUE PHOTOCOPY OF THE REQUEST MADE BY THE 2ND PETITIONER WITH THE 2ND RESPONDENT DATED 27-11-2012.
- EXHIBIT P7 : A TRUE PHOTOCOPY OF THE APPLICATION MADE BY THE 2ND PETITIONER WITH THE 6TH RESPONDENT UNDER THE RIGHT TO INFORMATION ACT DATED 10-12-2012.
- EXHIBIT P8 : A TRUE COPY OF THE LETTER DATED 11-1-20113 ISSUED BY THE 6TH RESPONDENT AS A REPLY TO EXT P7 APPLICATION.
- EXHIBIT P9 : A TRUE PHOTOCOPY OF THE LETTER NO.A1-833/06 ISSUED BY THE 3RD RESPONDENT TO THE 2ND PETITIONER, AS A REPLY TO THE REQUEST ON 7-4-2015, DATED 18-4-2015.
- EXHIBIT P10 : A TRUE COPY OF A MAP OF THE CURRENT PROPOSAL FOR THE ABOVE ACQUISITION.

RESPONDENT(S)' EXHIBITS : NIL

V. CHITAMBARESH, J

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Dated this the 26th day of May, 2015

JUDGMENT

The petitioners confine their relief to an early consideration of Exts.P2, P5 and P6 objections filed to Ext.P1 notice. Ext.P1 notice is one issued under Section 4 of the Land Acquisition Act, 1894. I have no doubt in my mind that the objections aforesaid would be considered before a declaration under Section 6 of the Act is made.

2. The competent amongst the respondents shall consider Exts.P2, P5 and P6 objections before the proceedings are taken to a logical end. The petitioner shall be put on notice in the exercise and orders passed within a period of three months.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd