

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

WP(C).No. 17485 of 2014 (I)

PETITIONER:

K.M.CHANDRAN, MUNDUCHIRACKAL,
MANJAPRA.P.O, ANGAMALY,
ERNAKULAM DISTRICT.

BY ADV. SMT.M.HEMALATHA

RESPONDENTS:

1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY
REVENUE (B) DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM-695607.
2. THE DISTRICT COLLECTOR, COLLECTORATE,
KAKKANAD, ERNAKULAM 682 030.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-07-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 COPY OF THE G.O.(MS)419/2011/RD DATED 15-11-2011
- EXT.P2 COPY OF THE RECEIPT BEARING NO.80887/13/C4 DATED 9-1-2013
- EXT.P3 COPY OF THE REPLY RECEIVED FROM THE OFFICE OF THE 2ND
RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 7th day of July, 2015

JUDGMENT

The petitioner claims the benefit of Ext.P1 Rehabilitation and Resettlement Policy and particularly to Clause 13 thereof which is extracted hereunder:

“A family rendered landless and homeless with no salaried income whose annual income is below Rs.75,000/- shall be provided upto 3 cents of land”

2. The respondents have no case that the petitioner is not landless or not homeless or has salaried income above ₹75,000/-. The only objection raised is that the petitioner was not residing in the building situated in the land acquired at the material time. This is not a reason enough to deny the petitioner of the benefit of Ext.P1 Rehabilitation and Resettlement Policy.

3. The petitioner is to be provided an alternate extent of three cents of land as per Ext.P1 Rehabilitation and Resettlement Policy also. It is declared that the petitioner is entitled to the said extent of three cents of land which the respondents shall provide within a period of six months. The

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petitioner submits that similarly situated persons have already been provided the alternate extent of three cents of land and that the matter should not brook delay. Ext.P3 order denying the petitioner the benefit of Ext.P1 Rehabilitation and Resettlement Policy is hereby quashed.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd