

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

WP(C).No. 18332 of 2015 (N)

PETITIONER(S):

P.K.GOPALAN @ GOPALAN VENDUVAZHY,
AGED 58 YEARS, S/O KELAN,
PUTHEEKAMOLATH, VENDUVAZHY,
KOTHAMANGALAM - 686 691

BY ADVS.SMT.T.J.SEEMA
SMT.BHAVANA VELAYUDHAN

RESPONDENT(S):

1. UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO PUBLIC ADMINISTRATION,
CENTRAL SECRETARIAT, NEW DELHI - 110 001
2. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO TRANSPORT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM 695 001
3. THE DEPUTY CHIEF ENGINEER,
(CONSTRUCTION WING - II)
SOUTHERN RAILWAY, ERNAKULAM - 682 016
4. THE SPECIAL TAHSILDAR, LAND ACQUISITION (RAILWAY)
TALUK OFFICE, PERUMBAVOOR - 683 542

R1 BY ADV. SRI.GIRISH KUMAR.V., CGC
SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R2 BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKEN
R3 & R4 BY SRI.C.S.DIAS,SC, RAILWAYS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

VS

WP(C).No. 18332 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT.P1 : TRUE COPY OF THE REPORT ISSUED BY THE 4TH RESPONDENT
DATED 12.5.2015**

**EXT.P2 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE ACTION
COUNCIL BEFORE THE GOVERNOR OF KERALA DATED 28.2.2015.**

**EXT.P3 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE ACTION
COUNCIL BEFORE THE PRIME MINISTER OF INDIA, DATED 7.11.2014.**

RESPONDENT(S)' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

VS

V.CHITAMBARESH, J

W.P.(C).No.18332 of 2015

Dated this the 18th day of June, 2015

JUDGMENT

There was originally a proposal to acquire the land of the petitioner for Angamali - Sabari Rail Project. Even a notification under Section 4(1) of the Land Acquisition Act was published. The writ petition has been filed seeking to expedite the land acquisition proceedings.

2. The learned Standing Counsel for Indian Railways Sri.C.S.Dias was also heard. The Standing Counsel on instructions submits that the land acquisition proceedings have lapsed. No declaration under Section 6 of the Land Acquisition Act followed.

3. It goes without saying that the petitioner is free to deal with the land. The petitioner is at liberty to use or sell the same for any of his purposes.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH
JUDGE

VS