

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 19271 of 2015 (H)

PETITIONER(S):

1. K.G.PRAKASH, AGED 48 YEARS
KOOVACKAL HOUSE, VALAVOOR (P.O), KOTTAYAM DISTRICT.
2. BHASKARAN NARAYANAN
KANJIRAPPARAYIL HOUSE, VALAVOOR (P.O)
KOTTAYAM DISTRICT.

BY ADV. SRI.GEORGEKUTTY MATHEW

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM, PIN:695001.
2. THE DISTRICT COLLECTOR
COLLECTORATE, KOTTAYAM, PIN:686001.
3. THE SPECIAL TAHSILDAR (GENERAL)
CIVIL STATION, PALA, PIN:686 576.

R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 19271 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE NOTICE ISSUED BY 3RD RESPONDENT TO
PETITIONERS NO.1 DATED 6.5.2015.

EXHIBIT P2: TRUE COPY OF THE NOTICE ISSUED BY 3RD RESPONDENT TO
PETITIONER NO.2 DATED 6.5.2015.

EXHIBIT P3: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST
PETITIONER BEFORE THE 3RD RESPONDENT DATED 23.6.2015.

EXHIBIT P4: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 2ND
PETITIONER BEFORE THE 3RD RESPONDENT DATED 23.6.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.19271 of 2015

Dated this the 26th day of June, 2015

J U D G M E N T

The petitioners have filed Exts.P3 and P4 objections to Exts.P1 and P2 notices issued by the Land Acquisition Act, 1894. No Award has concededly been passed under the Land Acquisition Act, 1894 before 31.12.2013. The compensation can therefore be determined under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 only.

2. I direct the third respondent to consider Exts.P3 and P4 objections at the time of hearing slated on 27.6.2015. The impact of the judgment in W.P.(C) No.18580/2015 filed by a similarly situated person shall also be adverted to in the exercise. The petitioners assure this Court that they will appear for hearing as requested in Exts.P1 and P2 notices.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.