

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. 19864 of 2015 (G)

PETITIONER:

**T.V.DEVAPRASAD, AGED 62 YEARS
S/O.VASAVAN, MANAGING PARTNER, M/S.VYTTILA OIL MILLS
VYTTILA, KOCHI 682 019.**

**BY ADVS.SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN**

RESPONDENTS:

- 1. THE SPECIAL TAHSILDAR (L.A)
COCHIN CORPORATION, VYTTILA, COCHIN 682 019.**
- 2. DISTRICT COLLECTOR, ERNAKULAM, COLLECTORATE
KAKKANAD 682 030.**
- 3. PRINCIPAL SECRETARY, DEPARTMENT OF TRANSPORT, GOVERNMENT
OF KERALA
SECRETARIAT, ERNAKULAM 695 001.**
- 4. STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.**
- 5. VYTTILA MOBILITY HUB SOCIETY
VYTTILA
KOCHI 682 019
REPRESENTED BY ITS MANAGING DIRECTOR.**

**R1 TO R4 BY SR.GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN
R5 BY SRI.M.AJAY, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DCS

WP(C).No. 19864 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE JUDGMENT DATED 27.2.2015 IN WP.NO.16186/2013**
- P2- TRUE COPY OF THE ORDER DATED 17.3.2015 IN R.P.NO.295/2015 IN
W.P.NO.16186/2013**
- P3- TRUE COPY OF THE ORDER DATED 1.4.2015 IN IA NO.182/2015 IN
R.P.NO.295/2015 IN W.P.NO.16186/2013**
- P4- TRUE COPY OF G.O. NO.3085/14 RD DATED 5.7.2014**
- P5- TRUE COPY OF THE DRAFT AWARD DATED 21.3.2015**
- P6- TRUE COPY OF THE AWARD NOTICE DATED 10.6.2015**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 19864 OF 2015

Dated this the 02nd day of July, 2015

JUDGMENT

The right of the petitioner under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (the 'Act' for short) is already safeguarded in Ext. P1 judgment. Needless to say that the right of the petitioner to seek a reference under Section 64 of the Act would arise only after a fresh award is passed determining the compensation under Section 30 of the Act notwithstanding Ext. P6 notice.

There is no further grievance for the petitioner and no other directions are therefore warranted. The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS