

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. 20250 of 2015 (E)

PETITIONERS:

1. M. PRASANNA, W/O.LATE RAMACHANDRAN T.M,
KACHERIKANDIYIL HOUSE, PINARAYI P.O.,
THALASSERY - 670 741, KANNUR DISTRICT.
2. M.PREMITH, S/O.LATE RAMACHANDRAN T.M,
KACHERIKANDIYIL HOUSE, PINARAYI P.O.,
THALASSERY - 670 741, KANNUR DISTRICT.
3. M.PREJIN, S/O.LATE RAMACHANDRAN T.M.,
KACHERIKANDIYIL HOUSE, PINARAYI P.O.,
THALASSERY - 670 741. KANNUR DISTRICT.
4. T.M.GANGADHARAN, S/O.LATE KRISHNAN,
KACHERIKANDIYIL HOUSE, PINARAYI P.O.,
THALASSERY - 670 741, KANNUR DISTRICT.
5. T.M.PREMKUMAR, S/O.LATE KRISHNAN,
KACHERIKANDIYIL HOUSE, PINARAYI P.O.,
THALASSERY - 670 741, KANNUR DISTRICT.
6. T.M.PUSHPALATHA, D/O. LATE KRISHNAN,
KACHERIKANDIYIL HOUSE, PINARAYI P.O.,
THALASSERY - 670 741, KANNUR DISTRICT.
7. T.M.VINAYAKUMAR, S/O. LATE KRISHNAN,
KACHERIKANDIYIL HOUSE, PINARAYI P.O.670 741,
THALASSERY - 670 741, THALASSERY TALUK,
KANNUR DISTRICT.
8. M.C.KARUNAN, S/O.KUNHIRAMAN, AGED 73 YEARS,
'SREE VIHAR', P.O.PINARAYI 670 741,
THALASSERY, KANNUR DISTRICT.
9. P.P.VIJAYAN, S/O.KUNIKKANNAN,
KARIMPOYIL KANDATHIL (H), PINARAYI,
PARAPURAM P.O., THALASSERY TALUK,
KANNUR DISTRICT.

10. ALAKKANDY LAKSHMANAN, AGED 63 YEARS,
S/O.CHATHU, 'SHYMA NIVAS', PINARAYI (P.O.) 670 741,
PINARAYI, THALASSERY, KANNUR DISTRICT.
11. GOURI.K., W/O.KUNHIRAMAN,
GOURI NIVAS, P.O.PINARAYI 670 741,
THALASSERY , KANNUR DISTRICT.
12. KAIPACHEN PARU, D/O.KRISHNAN,
ADIKKAL (H), PINARAYI PO. 670 741,
PINARAYI, THALASSERY TALUK.
13. P.K.YESODHA, PARAKANDATHIL,
PINARAYI, KANNUR DISTRICT PIN - 670 741.
14. T.SARADA, D/O.KRISHNAN
THEKKEYIL (H), PARAPURAM PO, EDAKKADAVU
PINARAYI, THALASSERY TLAUK, KANNUR DISTRICT.
15. T.SAVITHRI, VAYALIL HOUSE AGED 62 YEARS
PINARAYI, THALASSERY TALUK, KANNUR DISTRICT.
16. THATTALI CHANDRAN AGED 58 YEARS
S/O.CHATHU, THEKKAYIL HOUSE, PARAPREM
THALASSERY TALUK, KANNUR DISTRICT.
17. MANIYATH NALINI AGED 68 YEARS
D/O.KRISHNAN, CHIRAYIL HOUSE, PINARAYI - 670 741
THALASSERY TLAUK, KANNUR DISTRICT.
18. MANIYATH ROHINI
POOVOTIL HOUSE, PINARAYI PO, THALASSERY
KANNUR 670 741.
19. C.JANAKI AMMA, NARAYANA SADAN,
P.O.KAPPAD, KANNUR TALUK
KANNUR DISTRICT.
20. C.PRABHAVATHI AMMA, NARAYANA SADAN,
P.O.KAPPAD, KANNUR TLAUK, KANNUR DISTRICT.
21. RAJESH NARAYANAN, S/O.NARAYANAN (LATE)
AGED 43 YEARS, NARAYANA SADAN,
P.O.KAPPAD, PIN 670 006, KANNUR DISTRICT.
22. JISHA, D/O.NARAYANAN(LATE)
'SUKURTHAM', JOURNALIST NAGAR,
P.O.MUNDAYAD, KANNUR TALUK, KANNUR DISTRICT.

BY ADVS.SRI.P.V.SURENDRANATH
SMT.BINDUMOL JOSEPH
SRI.B.S.SYAMANTHAK

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY ITS
SECRETARY TO DEPARTMENT OF REVENUE
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
2. DISTRICT COLLECTOR
KANNUR CIVIL STATION
KANNUR 670 001.
3. DEPUTY TAHSILDAR (LAND ACQUISITION)
FOR KERALA STATE ELECTRICITY BOARD
OFFICE OF THE DEPUTY TAHSILDAR (LAND ACQUISITION)
FOR KERALA STATE ELECTRICITY BOARD
KANNUR 670 001.
4. DEPUTY TAHSILDAR (LAND ACQUISITION)
FOR KERALA STATE ELECTRICITY BOARD
OFFICE OF THE DEPUTY TAHSILDAR (LAND ACQUISITION)
FOR KERALA STATE ELECTRICITY BOARD
KOZHIKODE 673 001.
5. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVAN
PATTOM THIRUVANANTHAPURAM 695 004.
6. SPECIAL TAHSILDAR (LAND ACQUISITION)
RAILWAY, KANNUR, OFFICE OF THE SPECIAL
TAHSILDAR (LAND ACQUISITION)
RAILWAY, KANNUR 670001.

BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN
R BY SRI. SAJEEVKUMAR K. GOPAL, SC, KSEB
BY SRI. K.M. SATHYANATHA MENON, SC, KSEB

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

APPENDIX

PETITIONER(S)' EXHIBITS

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| EXHIBIT P1 | - | A TRUE COPY OF THE NOTICE ISSUED BY THE 4TH RESPONDENT UNDER SECTION 9(3) OF THE LAND ACQUISITION ACT, 1894 DATED NIL |
| EXHIBIT P2 | - | A TRUE COPY OF THE CERTIFICATE OF DEATH OF SRI.C.KRISHNAN DATED 19.4.2008 ISSUED BY THE REGISTRAR OF BIRTHS & DEATHS, THALASSERY MUNICIPALITY |
| EXHIBIT P3 | - | A TRUE COPY OF THE FAMILY MEMBERSHIP CERTIFICATE OF SRI.C.KRISHNAN DATED 10.4.2008 ISSUED BY THE VILLAGE OFFICER, PINARAYI CERTIFYING THE NAME OF HTE FAMILY MEMBERS OF THE DECEASED KRISHNAN |
| EXHIBIT P4 | - | A TRUE COPY OF THE APPLICATION FILED BY PREDECESSOR IN INTEREST OF THE PETITIONERS 1 TO 7 IN FORM NO.22A OF THE LAND ACQUISITION (KERALA), RULES 1990 |
| EXHIBIT P5 | - | A TRUE COPY OF THE OBJECTION PREDECESSOR IN INTEREST OF PEITIONERS 1 TO 7 AS CONTEMPLATED IN SECTION 18(2) OF THE LAND ACQUISTION ACT DATED 26.6.2000 |
| EXHIBIT P6 | - | A TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER NO.13 IN FORM NO.22A OF THE LAND ACQUISITION (KERALA), RULES 1990 |
| EXHIBIT P7 | - | A TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER NO.13 AS CONTEMPLATED UNDER SECTION 18 OF THE LAND ACQUISITON ACT |
| EXHIBIT P8 | - | A TREU COPY OF THE DEATH CERTIFICATE OF SMT.T.YESHODHA DATED 17.10.2014 ISSUED BY THE REGISTRAR OF BIRTHS AND DEATHS |
| EXHIBIT P9 | - | A TRUE OCPY OF HTE APPLICATION FILED BY THE PETITIONER NO.17 IN FORM NO.22A OF THE LAND ACQUISTION (KERALA), RULES , 1990 |
| EXHIBIT P10 | - | A TRUE COPY OF OBJECTION FILED BY THE PETITIONER NO.17 AS CONTEMPLATED UNDER SECTION 18 OF THE LAND ACQUISITION ACT |
| EXHIBIT P11 | - | A TRUE OCPY OF HTE APPLICATION FILED BY THE PETITIONER NO.18 IN FORM NO.22A OF THE LAND ACQUISTION (KERALA), RULES , 1990 |
| EXHIBIT P12 | - | A TRUE COPY OF OBJECTION FILED BY THE PETITIONER NO.17 AS CONTEMPLATED UNDER SECTION 18 OF THE LAND ACQUISITION ACT |

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- EXHIBIT P13 - A TRUE COPY OF HTE NOTICE ISSUED BY THE 4TH RESPONDENT UNDER SECTION 12 OF THE LAND ACQUISITION ACT OT THE PETITIONERS NO.20 TO 22 IN FORM NO.22A OF THE LAND ACQUISITION (KERALA), RULES, 1990.
- EXHIBIT P14 - A TREU COPY OF THE APPLICATION FILED BY THE PETITIONER NO.20 TO 22 IN FORM NO.22A OF THE LAND ACQUISITION (KERALA), RULES, 1990
- EXHIBIT P15 - A TRUE COPY OF THE OBJECTION FILED BY THE PETITIONERS NO.20 TO 22 AS CONTEMPLATED UNDER SECTION 18 OF THE LAND ACQUISITON ACT

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 petitioners have allegedly filed applications under Section 18 of the Land Acquisition Act, 1894 before the authorities concerned. The same are purportedly filed seeking enhancement of compensation.

2. The second respondent shall verify as to the fate of these applications allegedly filed. The competent amongst respondents 3, 4 and 6 shall deal with the applications in accordance with law.

3. The law of limitation shall be adverted to. Final orders shall be passed within a period of two months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

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