

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

WP(C).No. 20290 of 2015 (I)

PETITIONER:

K.P. KAIRUNNISSA ABDULKAREEM, AGED 60 YEARS,
W/O. ABDULKAREEM, PARILAKATHOOT HOUSE,
APSARA GARDENS, KODER LANE, ALUVA, PIN - 683 101.

BY ADV. SRI. K. S. SAJEEV KUMAR

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
ERNAKULAM, COLLECTORATE,
KAKKANAD, KOCHI - 682 030.
2. THE VILLAGE OFFICER,
ALUVA - 683 101.
3. THE SPECIAL TAHSILDAR, LAND ACQUISITION NO.2,
KOCHI METRO RAIL PROJECT, COLLECTORATE,
CIVIL STATION, KAKKANAD, ERNAKULAM, KOCHI - 682 030.
4. THE SUPERINTENDENT, SURVEY AND LAND RECORDS,
COLLECTORATE, KAKKANAD, ERNAKULAM, KOCHI - 682 030.
5. THE STATE OF KERALA REPRESENTED BY
ITS CHIEF SECRETARY TO GOVERNMENT,
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM PIN - 695 001.

Addl. 6. THE KOCHI METRO RAIL LIMITED, 8TH FLOOR,
REVENUE TOWER, KOCHI - 682011
REPRESENTED BY ITS MANAGING DIRECTOR

(ADDL. R6 IS IMPPLEADED AS PER ORDER DATED 20.07.2015 IN IA 10024/2015)

R6 BY ADV. SRI. K. JAJU BABU (SR.)
R6 BY ADV. SMT. M. U. VIJAYALAKSHMI, SC, KOCHI METRO RAIL LTD.
BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-08-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - A TRUE COPY OF THE NOTICE ISSUED BY THE SPECIAL
TAHASILDAR LAC NO.140/14/LA II DATED 20.3.2015
- EXHIBIT P2 - A TRUE COPY OF THE LETTER DATED 26.3.2015 ISSUED BY THE
PETITIONER TO THE THIRD RESPONDENT
- EXHIBIT P3 - A TRUE COPY OF THE POSSESSION CERTIFICATE DATED 17.4.2015
ISSUED BY THE VILLAGE OFFICER, ALUVA
- EXHIBIT P4 - A TRUE COPY OF THE TAX RECEIPT DATED 30/6/2014 ISSUED BY
VILLAGE OFFICER ALUA
- EXHIBIT P5 - A TRUE COPY OF THE REPRESENTATION DATED 25.5.2015 GIVEN
BY THE PETITIONER TO THE FIRST RESPONDENT
- EXHIBIT P6 - A TRUE COPY OF THE CIRCULAR NO.G3 4643/1994 DATED
24.12.1994 ISSUED BY THE DISTRICT COLLECTOR, ERNAKULAM.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 20290 OF 2015

Dated this the 4th day of August, 2015

JUDGMENT

Ext.P6 circular concludes the fact that the extent of the property acquired has to be identified on the basis of resurvey numbers. The said circular shall be followed by the respondents in the matter of computation of compensation amount due to the petitioner for the Kochi Metro Rail Project. The amount shall be disbursed to the petitioner accordingly within a period of three weeks from today.

2. The receipt of the amount is however without prejudice to the right of the petitioner under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd