

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937**

**WP(C).No. 20966 of 2015 (U)**  
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**PETITIONER(S) :**  
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**K.P.RAJALEKSHMI,  
D/O.KARTHYKUTTY PADMANABHAN,  
KALPANAL T.C.11/267-1, KESTON ENCLAVE, KESTON ROAD,  
KOWDIAR P.O., THIRUVANANTHAPURAM - 695 001.**

**BY ADV. SRI.BASANT BALAJI**

**RESPONDENT(S):**  
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- 1. STATE OF KERALA,  
REPRESENTED BY THE PRINCIPAL SECRETARY,  
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM- 695 001.**
- 2. THE DISTRICT COLLECTOR,  
CIVIL STATION, KUDAPPANAKUNNU,  
THIRUVANANTHAPURAM- 695 005.**
- 3. THE SECRETARY, TRIDA  
THIRUVANANTHAPURAM- 695 001.**

**R1 & R2 BY GOVERNMENT PLEADER SRI.R.RENJITH  
R3 BY ADV. SRI.K.A.JALEEL, S.C.,**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

Msd.

**WP(C).No. 20966 of 2015 (U)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS :**  
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- P1: TRUE COPY OF THE BALANCE STATEMENT FILED BY THE PETITIONER IN E.P.71/2010 IN LAR 354/2008.**
- P2: TRUE COPY OF THE REGISTRATION CARD OF THE PETITIONER WITH THE REGIONAL CANCER CENTER, THIRUVANANTHAPURAM.**
- P3: TRUE COPY OF THE CLINICAL DETAILS OF THE PETITIONER BY THE DIVISION OF SURGICAL ONCOLOGY, REGIONAL CANCER CENTER, THIRUVANANTHAPURAM.**

**RESPONDENT(S)' EXHIBITS :**  
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**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE.**

Msd.

**A.K.JAYASANKARAN NAMBIAR, J.**  
.....  
**W.P.(C).No.20966 of 2015**  
.....  
**Dated this the 7<sup>th</sup> day of October, 2015**

**J U D G M E N T**

The grievance of the petitioner in the writ petition is essentially that, the compensation amounts due to her pursuant to land that was acquired from her by the Government, has not been paid notwithstanding the fact that the award was passed on 25.03.2007, and thereafter, the land acquisition appeal against the reference court judgment has been disposed by judgment dated 06.03.2015 in L.A.A.NO.398 of 2012. The petitioner has produced as Ext.P1, a statement computed in accordance with the judgment in the aforementioned land acquisition appeal whereby the balance amounts due to be paid to the petitioner is Rs.43,20,271.27/- as on 20.06.2015.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents. The learned Government Pleader on instructions would submit that, the delay in effecting payments to the petitioner was occasioned only on account of the fact that the requisitioning authority had not paid the compensation amounts to the Government for payment to the land owners.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, and taking note of the fact that, the petitioner is stated to be a terminally ill and is 75 years of age, I see no reason why there should not be a direction to the 1<sup>st</sup> and 2<sup>nd</sup> respondent to deposit the compensation amounts due to the petitioner, as evidenced by Ext.P1 statement, as increased by the interest component from 20.06.2015 till date of payment, in three equal successive monthly instalments commencing from 15.11.2015. The respondents 1 and 2 are directed to effect the said payments, in the above manner, without awaiting receipt of the corresponding payments from the requisitioning authority.

The writ petition is disposed as above.

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

mns

