

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 21634 of 2015 (D)

PETITIONER:

SEBASTIAN M.R. @ XAVIER, AGED 57 YEARS,
S/O. RAPHAEL, MATTAMMEL HOUSE,
VYTTILA PETTA ROAD, THYKODAM, ERNAKULAM.

BY ADVS. SRI. A. X. VARGHESE
SRI. A. V. JOJO

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
2. DISTRICT COLLECTOR, COLLECTORATE,
KAKKANADU, ERNAKULAM, 682 030.
3. DEPUTY COLLECTOR, LAND ACQUISITION,
ERNAKULAM, PIN 682 030.
4. SPECIAL TAHSILDAR, LAND ACQUISITION,
NH III, VYTTILA, KOCHI 682 019.
5. KOCHI METRO RAIL LTD., 8TH FLOOR,
REVENUE TOWER, PARK AVENUE
KOCHI 682 011.
6. DELHI METRO RAIL CORPORATION, 2ND FLOOR,
GCDA EASTERN ENTRY TOWER, KARSHAKA ROAD,
ERNAKULAM SOUTH RAILWAY STATION, KOCHI 682 016.

R6 BY ADV. SMT. LATHA KRISHNAN, SC, DELHI METRO RAIL CORPN.

R5 BY ADV. SRI. K. JAJU BABU (SR.)

R5 BY ADV. SMT. M. U. VIJAYALAKSHMI, SC, KOCHI METRO RAIL LTD.
BY SPECIAL GOVERNMENT PLEADER SRI. THOMAS K. THOMAS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE COPY OF THE SKETCH PREPARED BY THE ASST.ENGINEER,
ROAD SECTION.
- EXHIBIT P2 - TRUE COPY OF THE PAYMENT RECEIPT IN THE PRESCRIBED
FORM DATED 8/6/2015.
- EXHIBIT P3 - TRUE COPY OF THE PROPERTY TAX REMITTANCE DATED 1/6/2002.
- EXHIBIT P4 - TRUE COPY OF THE LICENSE ISSUED UNDER SECTION 447 (1) OF
THE KERALA MUNICIPALITY ACT DATED 17/10/2005.
- EXHIBIT P5 - TRUE OPY OF THE REPRESENTATION DATED 9/7/2015

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 21634 OF 2015

Dated this the 27th day of July, 2015

JUDGMENT

0.10 ares of land and a portion of the building belonging to the petitioner was acquired by the respondents. The same is for the purpose of prestigious Kochi Metro Rail Project. 80% of the value of the land to the tune of ₹4,15,128/- and 80% of the value of the building to the tune of ₹62,980/- has been paid to the petitioner. Balance 20% of the value of the land and the building will also be paid to the petitioner on execution of the necessary documents.

2. The receipt of the amount by the petitioner will however be without prejudice to his right for further determination 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**