

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 25121 of 2013 (M)

PETITIONER(S):

RAJAMMA RAMACHANDRAN, AGED 57 YEARS,
W/O.K.V.RAMACHANDRAN
REPRESENTED BY HER POWER OF ATTORNEY HOLDER K.RAMACHANDRAN
AGED 66 YEARS, S/O.SANKARAN, 'KAVYAM'
MADATHUMBHAGAM, VADAKKUMBAD PO, THALASSERY 670 109
KANNUR DISTRICT.

BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY, DEPARTMENT OF TOURISM (B)
SECRETARIAT, THIRUVANANTHAPURAM 695 001.
2. THE MANAGING DIRECTOR
KERALA TOURISM DEVELOPMENT CORPORATION LTD.
THIRUVANANTHAPURAM 695 001.
3. THE DISTRICT COLLECTOR
CIVIL STATION, KANNUR DISTRICT 670 001.
4. THE SPECIAL TAHSILDAR(LA)
THALASSERY, KANNUR DISTRICT 670 701.

R2 BY ADV. SRI.THOMAS MATHEW NELLIMOOTTIL, SC, KTDC
R BY GOVERNMENT PLEADER SRI.S.JAMAL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 COPY OF THE BASIC TAX RECEIPT DATED 29/10/2012 OF
PETITIONER'S PROPERTY

EXHIBIT P2 COPY OF THE AWARD NOTE OF THE 4TH RESPONDENT

EXHIBIT P3 COPY OF THE SKETCH ISSUED BY THE PUBLIC INFORMATION OFFICER
AND THE VALUATION ASSISTANT OF THE 4TH RESPONDENT

EXHIBIT P4 COPY OF THE REPRESENTATION DATED 26/11/2012 SUBMITTED TO THE
RESPONDENTS BY THE PETITIONER

EXHIBIT P5 COPY OF THE JUDGMENT DATED 9/4/2013 IN WPC NO.1161/2013 OF
THIS HON'BLE COURT

EXHIBIT P6 COPY OF THE ORDER DATED 27/8/2013 ISSUED BY THE 1ST
RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.25121 of 2013

Dated this the 9th day of January, 2015

J U D G M E N T

The petitioner has every right to raise objections about the proposal for acquisition of land under Section 15 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013. Ext.P6 order passed rejecting the representation of the petitioner when the Land Acquisition Act, 1894 was in force will not be an impediment. There is therefore no necessity at this juncture to consider the correctness or otherwise of Ext.P6 order impugned in this writ petition.

The writ Petition is disposed of without prejudice to the right of the petitioner as above.

Sd/-
V.CHITAMBARESH,
Judge.

nj.