

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. 22480 of 2015 (H)

PETITIONER:

FRANCIS GEORGE, S/O. GEORGIE C. GEORGE,
PROJECT MANAGER, RESIDING AT 3/328A,
VIYYOOR P.O., PUDUKKAD, THRISSUR - 680 010
(AT PRESENT WORKING AT SINGAPORE)
REPRESENTED BY HIS MOTHER-IN-LAW AND
POWER OF ATTORNEY HOLDER PANAKKAL
CHERUNNI LILLY, W/O. LATE SIMON THOMAS,
PENSIONER, RESIDING AT 3/1255, VALIYATHODI,
P.O. NADAKKAVU, KOZHIKODE - 673 011.

BY ADVS. SRI. K. M. SATHYANATHA MENON
SRI. A. SANTHOSH KUMAR
SMT. KAVERY S THAMPI
SMT. ANJANA KANNATH

RESPONDENTS:

1. THE SPECIAL TAHSILDAR(LA), OFFICE OF THE
SPECIAL TAHSILDAR, CITY ROADS IMPROVEMENT
PROJECTS (KCRIP), CIVIL STATION,
KOZHIKODE DISTRICT PIN 673 020.
2. THE DISTRICT COLLECTOR,
KOZHIKODE - 673 011.

BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN

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 ASSIGNMENT DEED NO. 1541/1964 EXECUTED IN FAVOUR OF LATE DR. GEORGIE C. GEORGE
- EXHIBIT P2 : TRUE COPY OF THE LEGAL HEIRSHIP CERTIFICATE ISSUED BY THE TAHSILDAR, THRISSUR DATED 13.03.2012.
- EXHIBIT P3 : TRUE COPY OF THE SETTLEMENT DEED NO. 1400 OF 2014 DATED 23.04.2014 EXECUTED BY LEELA GEORGE AND MARYLIN GEORGE IN FAVOUR OF THE PETITIONER.
- EXHIBIT P4 : TRUE COPY OF THE PAPER PUBLICATION MADE IN PRADEEPAM DAILY DATED 24.02.2012.
- EXHIBIT P5 : TRUE COPY OF THE PUBLIC NOTICE DATED 8.04.2012 ISSUED BY THE 1ST RESPONDENT IN FAVOUR OF THE PETITIONER.
- EXHIBIT P6 : TRUE COPY OF THE PUBLIC NOTICE DATED 01.06.2015 ISSUED BY THE ACQUISITION OFFICER, CIVIL STATION, KOZHIKODE IN FAVOUR OF THE PETITIONER.
- EXHIBIT P7 : TRUE COPY OF THE OBJECTION/REPRESENTATION SUBMITTED BY THE PETITIONER TO THE TAHSILDAR (LA), KOZHIKODE.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 22480 OF 2015

Dated this the 27th day of July, 2015

JUDGMENT

The name of the petitioner very much finds a place in Ext.P5 notice issued under the Land Acquisition Act, 1894. The names of his mother and sister are also found in Ext.P5 notice as the legal heirs of the original owners. It is stated that the mother and sister have since released their right in favour of the petitioner.

2. The petitioner states that the names of new persons are found in Ext.P6 notice following. The petitioner asserts that those six persons have no semblance of right over the property. The petitioner has in this regard submitted Ext.P7 objection to the first respondent Tahsildar.

3. I direct the first respondent to consider Ext.P7 objection with notice to the persons who find a place in Ext.P5 as well as Ext.P6 notices. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

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The compensation amount shall be disbursed only dependent on the orders passed on Ext.P7 objection after hearing all the parties aforesaid.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd