

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).No. 26375 of 2010 (V)

PETITIONERS:

- 1. P.VRAVEENDRAN NAIR, JANAKI SADANAM,
EDAGRAMAM, T.C.64/533, KARUMAM
THIRUVANANTHAPURAM.**
- 2. AJITHA, D/O.PONNAMMA,
VILAPPILVILAKATHU VEEDU, MOONAM MANAKKAL, PALKULANGARA
THIRUVANANTHAPURAM.**
- 3. A.SUDHA, D/O.AMMU, MUDUMBIL VEEDU,
VAYYAMOOLA, PETTAH VILLAGE, THIRUVANANTHAPURAM.**
- 4. REMANAN, S/O.BHASKARA PANICKER,
KRISHNAVILASOM, KAITHAVILA, MANGATTUKADAVU
PERUKAVU P.O., THIRUVANANTHAPURAM.**
- 5. SURESH, S/O.SURENDRAN, PUTHUVAL PUTHEN
VEEDU, K.S.E.B.JUNCTION, CHACKAI
PETTAH, THIRUVANANTHAPURAM, NOW RESIDING AT
'SIVAPADAM', CHARUMOODU, KARIKKAKAM
THIRUVANANTHAPURAM.**
- 6. B.SHANTHA, PUTHUVALVADAKKATHIL VEEDU
PETTAH, THIRUVANANTHAPURAM, NOW RESIDING
AT 'SIVAPADAM', CHARUMOODU, KARIKKAKAM
THIRUVANANTHAPURAM.**

BY ADV. SRI.G.S.REGHUNATH

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY TO GOVERNMENT (REVENUE), SECRETARIAT
THIRUVANANTHAPURAM – 695 001**
- 2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM – 695 001**
- 3. THE SPECIAL TAHSILDAR (L.A.),
AIRPORT, THIRUVANANTHAPURAM – 695 001**

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :-

- EXHIBIT P1: TRUE COPY OF THE JUDGMENT IN L.A.R. NO. 210/2003**
- EXHIBIT P2: TRUE COPY OF THE APPLICATION UNDER SECTION 28A OF THE LAND ACQUISITION ACT FILED BY THE 1ST PETITIONER BEFORE THE THIRD RESPONDENT**
- EXHIBIT P3: TRUE COPY OF THE APPLICATION UNDER SECTION 28A OF THE LAND ACQUISITION ACT FILED BY THE 2ND PETITIONER BEFORE THE THIRD RESPONDENT**
- EXHIBIT P4: TRUE COPY OF THE APPLICATION UNDER SECTION 28A OF THE LAND ACQUISITION ACT FILED BY THE 3RD PETITIONER BEFORE THE THIRD RESPONDENT**
- EXHIBIT P5: TRUE COPY OF THE APPLICATION UNDER SECTION 28A OF THE LAND ACQUISITION ACT FILED BY THE 4TH PETITIONER BEFORE THE THIRD RESPONDENT**
- EXHIBIT P6: TRUE COPY OF THE APPLICATION UNDER SECTION 28A OF THE LAND ACQUISITION ACT FILED BY THE 5TH PETITIONER BEFORE THE THIRD RESPONDENT**
- EXHIBIT P7: TRUE COPY OF THE APPLICATION UNDER SECTION 28A OF THE LAND ACQUISITION ACT FILED BY THE 6TH PETITIONER BEFORE THE THIRD RESPONDENT**
- EXHIBIT P8: TRUE COPY OF THE LETTER SENT BY THIRD RESPONDENT TO THE ADVOCATE OF PETITIONERS ON 18.07.2009**
- EXHIBIT P9: TRUE COPY OF THE ORDER DATED 19.6.2010 PASSED BY THE THIRD RESPONDENT ON THE APPLICATION OF 1ST PETITIONER**
- EXHIBIT P10: TRUE COPY OF THE ORDER DATED PASSED BY THE THIRD RESPONDENT ON THE APPLICATION OF 2ND PETITIONER**
- EXHIBIT P11: TRUE COPY OF THE ORDER DATED PASSED BY THE THIRD RESPONDENT ON THE APPLICATION OF 3RD PETITIONER**
- EXHIBIT P12: TRUE COPY OF THE COMMON ORDER DATED 18.06.2010 ON THE APPLICATION OF PETITIONERS 4 TO 6**
- EXHIBIT P13: TRUE COPY OF THE PETITION SUBMITTED BY 1ST PETITIONER BEFORE THE THIRD RESPONDENT ON 26.7.2010**
- EXHIBIT P14: TRUE COPY OF THE PETITION SUBMITTED BY 2ND PETITIONER BEFORE THE THIRD RESPONDENT ON 26.7.2010**

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**EXHIBIT P15: TRUE COPY OF THE PETITION SUBMITTED BY 3RD PETITIONER
BEFORE THE THIRD RESPONDENT ON 26.7.2010**

**EXHIBIT P16: TRUE COPY OF THE PETITION SUBMITTED BY PETITIONERS 3 TO
6 BEFORE THE THIRD RESPONDENT ON 26.7.2010**

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 26375 OF 2010

Dated this the 22nd day of June, 2015

JUDGMENT

Exts. P2 to P7 applications are purportedly filed under Section 28A(1) of the Land Acquisition Act, 1894. The same are seen dealt with by Exts. P9 to P12 orders of the third respondent. One of the questions that arise is as to whether Rule 12A of the Land Acquisition (Kerala) Rules, 1990 has been followed in the exercise.

2. The petitioners are pursuing the matter in Exts. P13 to P16 applications with the third respondent. There is no reason as to why the same shall not be treated as one under Section 28A(3) of the Land Acquisition Act, 1894. All the questions urged by the petitioners can be considered by the third respondent in disposal of Exts. P13 to P16 applications.

3. I direct the third respondent to consider Ext. P13 to P16 applications with notice to the

petitioners. The needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS