

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 23802 of 2015 (A)

PETITIONER:

P.P. RAGHAVAN, AGED 62 YEARS,
S/O. KORAN, PUTHIYAPURAYIL HOUSE,
THAYINERI, MUCHILODE, P.O. ANNUR,
KANNUR DISTRICT.

BY ADV. SRI.V.N.RAMESAN NAMBISAN

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
KANNUR PIN 670 001.
2. THE SPECIAL TAHSILDAR (L.A.),
NAVAL ACADEMY, PAYYANNUR,
(NOW AT THALASSERY) PIN 670 104.

BY SENIOR GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF APPLICATION UNDER SECTION 28A DATED 04.12.2009 PREFERRED BY THE FATHER OF THE PETITIONER THROUGH THE PETITIONER.
- EXHIBIT P2 : TRUE COPY OF THE REJECTION ORDER, D.DIS.2711/09/C DATED 18.02.2010 OF THE 2ND RESPONDENT REJECTION OF EXHIBIT P1.
- EXHIBIT P3 : TRUE COPY OF APPLICATION UNDER SECTION 28A DATED 24.03.2010 UNDER SECTION 28A(3) OF THE LAND ACQUISITION ACT PREFERRED BY THE PETITIONER'S FATHER.
- EXHIBIT P4 : TRUE COPY OF APPLICATION DATED 07.05.1988 PREFERRED BY THE FATHER OF THE PETITIONER THROUGH THE PETITIONER.
- EXHIBIT P5 : RUE COPY OF THE REJECTION ORDER RE. F 280/97 DATED 22.06.1999 ISSUED BY THE 2ND RESPONDENT REJECTION OF EXHIBIT P4.
- EXHIBIT P6 : TRUE COPY OF APPLICATION UNDER SECTION 28A DATED 02.08.2000 IN RESPECT OF PROPERTY IN R.S. 306/11.
- EXHIBIT P7 : TRUE COPY OF THE POSTAL ACKNOWLEDGMENT CARD FOR HAVING SENT EXHIBIT P6 UNDER REGD. A/D POST.
- EXHIBIT P8 : TRUE COPY OF THE REJECTION ORDER REF. D. DIS.C.1367/05 DATED 18.11.2008 ISSUED BY 2ND RESPONDET REJECTING EXHIBIT P6 AS TIME BARRED.
- EXHIBIT P9 : TRUE COPY OF APPLICATION DATED 04.12.2008 UNDER SECTION 28A(3) OF THE LAND ACQUISITION ACT PREFERRED BY THE PETITIONER BEFORE 2ND RESPONDENT.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 23802 OF 2015

Dated this the 6th day of August, 2015

JUDGMENT

Exts. P1 and P6 applications filed under Section 28A(1) of the Land Acquisition Act, 1894 have been dismissed by Exts.P2 and P8 orders. The petitioner has pursued the matter in Exts.P3 and P9 applications filed under Section 28A(3) of the Land Acquisition Act, 1894.

2. I direct the second respondent to consider Exts.P3 and P9 applications with notice to the petitioner. The needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

3. The correctness of the order Ref. F-280/97 dated 22.06.1999 passed under Section 28A(1) of the Land Acquisition Act in respect of another item of property is left open to be considered in appropriate proceedings.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**