

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 28029 of 2015 (C)

PETITIONER(S):

- 1. K.E.KHADEEJA, AGED 55 YEARS,
W/O.KUNHAMAD, RESIDING AT
THAYALTHOTTY, PALLIKKARA P.O.,
KEEKKAN VILLAGE, KASARAGOD DISTRICT.**
- 2. MARIYUMMA, AGED 54 YEARS,
W/O.B.K.ABDULLA, RESIDING AT BEKAL,
PALLIKKARA P.O., PALLIKKARA VILLAGE,
KASARAGOD DISTRICT.**

BY ADV. SRI.A.ARUNKUMAR

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
KASARAGOD-670001.**
- 2. THE SPECIAL TAHSILDAR (LAND ACQUISITION),
KASARAGOD, KASARAGOD DISTRICT - 670 001.**

BY GOVERNMENT PLEADER SRI.R.RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT-P1: A TRUE COPY OF THE APPLICATION FILED UNDER SECTION 28A FILED BY THE 1ST PETITIONER.

EXHIBIT-P2: A TRUE COPY OF THE APPLICATION FILED UNDER SECTION 28A FILED BY THE 2ND PETITIONER.

EXHIBIT-P3: A TRUE COPY OF THE COMMUNICATION DATED 29.05.2009 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT-P4: A TRUE COPY OF THE REPLY SUBMITTED BY THE 1ST PETITIONER.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.
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W.P.(C). No. 28029 of 2015
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Dated this the 8th day of October, 2015

JUDGMENT

The grievance of the petitioners in the writ petition is that notwithstanding the fact that they had preferred Exts.P1 and P2 applications under Section 28A of the Land Acquisition Act, for re-determining the compensation awarded to them on the basis of the common award passed in LAR 19 of 1997 and LAR 21 of 1997 in the year 2008, the respondents were not passing any orders of the said applications preferred by the petitioners.

2. I have heard the learned counsel appearing for the petitioners as also the learned Government Pleader appearing for the respondents.

The learned Government Pleader would submit on instructions, that orders have since been passed allowing the applications of the petitioners and granting them compensation on the basis of the common award passed in the aforementioned LARs. Taking note of the said submission, I find that nothing survives to be decided in the writ petition. I, therefore, close the writ petition with a direction to the respondents to pay the differential

W.P.(C). No. 28029 of 2015

compensation amounts to the petitioners within three months from the date of receipt of a copy of this judgment.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das 08.10.15