

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

WP(C).No. 30813 of 2013 (B)

PETITIONERS:

1. SEBASTIAN CHOKKATTU, S/O. C.V. JOSEPH,
1A, SUMMER CASTLE APARTMENTS,
DESOM P.O., ALUVA - 683 103.
2. OLIVIA CHOKKATTU,
D/O. SEBASTIAN CHOKKATTU,
1A, SUMMER CASTLE APARTMENTS,
DESOM P.O., ALUVA - 683 103.

BY ADVS. SRI. K. MOHANAKANNAN
SMT. A.R. PRAVITHA

RESPONDENTS:

1. THE SPECIAL THASILDAR (LA) GENERAL
KAKKANAD, ERNAKULAM - 682 030.
2. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY TO GOVERNMENT
THIRUVANANTHAPURAM - 695 001.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT
DATED 13/06/2008 WITH AWARD.
- EXHIBIT P2 - TRUE COPY OF THE REPRESENTATION DATED 30/06/2008
SUBMITTED BEFORE THE RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 30813 OF 2013

Dated this the 21st day of May, 2015

JUDGMENT

The petitioner seeks a reference under Section 18 of the Land Acquisition Act. Ext.P2 representation allegedly filed by the petitioner is relied on. The first respondent has filed a detailed counter affidavit.

2. The counter affidavit states that the petitioner did not participate in the award enquiry. The petitioner did not also file an application for reference as alleged. Ext.P2 application allegedly filed by the petitioner was not found in the records on verification.

3. The petitioner has to resort to Section 28A of the Land Acquisition Act if the same is maintainable. No case for reference under Section 18 of the Land Acquisition has been made out.

The Writ Petition is dismissed. No costs.

**V. CHITAMBARESH
JUDGE**