

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

WP(C).No. 28263 of 2015 (G)

PETITIONER(S):

1. RUGMINI D. NAIR, D/O. LATE SANKARAN NAIR,
KUNDILE VEETIL HOUSE, ANNUR P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT - 670 307.
2. N.K.P.KADEESSU, D/O. LATE T.P.ABDULLA,
NALUPURAPATTIL KIZHAKKE PURAYIL HOUSE,
ETTIKKULAM P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT - 670 308.
3. N.K.P.USSAINAR, S/O. LATE T.P.ABDULLA,
NALUPURAPATTIL KIZHAKKE PURAYIL HOUSE,
ETTIKKULAM P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT - 670 308.
4. MEETHAL PURAYIL MARIYUMMA,
D/O. JAMEELA, KOTTI, PAYYANNUR P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT - 670 307.
5. MEETHAL THAYAL KUNHAMINA,
W/O.ABDUL SALAM, ETTIKKULAM P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT - 670 308.
6. MADATHIL KHADEEJA
W/O. ABDULLA, OLAVARA P.O., HOSDURG TALUK
KASARAGODE DISTRICT - 670 308.
7. N.K.RETHI, D/O. LATE MADHAVI,
PANAKKACHERY HOUSE, KOZHUMMAL P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT - 670 521.
8. MEETHAL THAYAL KOPPANAKKAL JAMEELA,
W/O. A.K.ABDULLA, ETTIKKULAM P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT - 670 308.
9. CHERIYA CHAPPAYIL SAINABA,
D/O. KUNHALEEMA, ETTIKKULAM P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT - 670 308.
10. ATHIKKAL PANDIKASALAYIL NAFEESA,
D/O. KUNHAMINA, ETTIKKULAM P.O.,
TALIPARAMBA TALUK, KANNUR DSTRIC - 670 308.

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11. KOYYODAN KUNHIRAMAN, KUTHIRAKKALLU,
ETTIKKULAM P.O., TALIPARAMABA TALUK,
KANNUR DISTRICT - 670 308.
 12. NALUPURAPPATTIL THALAKAL KHADEEJA,
NEDIYENGA P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT - 670 631.
 13. K.V.MADHU, S/O. BALAN, TRIKKARIPPUR,
KADAPPURAM P.O., KASARAGOD DISTRICT - 670 310.
 14. C.C.KUNHAMINA, D/O. LATE ABDULLA,
ETTIKKULAM P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT - 670 308.
 15. MARIYATHINTE KUNHIPATHUMMA,
D/O. AYISHA, KARANTHADU P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT - 670 308.
 16. P.P.SAROJINI AMMA, W/O. KUNHIRAMAPODUVAL,
'RAM NIVAS', RAMANTHALI P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT - 670 308.
 17. K.SATHEESHAN, S/O. LATE KOTTAN,
KUNDORA HOUSE, PARUTHIKKADU,
PALAKKAODE P.O., KANNUR DISTRICT - 670 308.
 18. N.K.P.PATHU, D/O. LATE T.P.ABDULLA,
NALUPURAPPATTIL KIZHAKKE PURAYIL HOUSE,
ETTIKKULAM P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT - 670 308.
 19. S.A.E.P MUHAMMED KUNHI, S/O. AYAMMED HAJI,
SAIDAMMADATH AYAKKOMBATHU ETTUMMAL
PUTHIYAPURAYIL HOUSE, MADAYI AMSOM,
PUTHIYENGADI DESOM, TALIPARAMBA TALUK,
KANNUR DISTRICT - 670 304.

BY ADVS.SRI.SERGI JOSEPH THOMAS
SRI.K.M.AUGUSTINE

RESPONDENT(S):

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1. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARAT, THIRUVANANTHAPURAM - 695 001.
 2. THE DISTRICT COLLECTOR,
KANNUR - 670 001.

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3. THE SPECIAL TAHSILDAR (LA),
EZHIMALA NAVAL ACADEMY, PAYYANNUR - 670 307.
4. THE SPECIAL TAHSILDAR (L.A GENERAL),
THALASSERI, KANNUR DISTRICT - 670 501.

BY GOVERNMENT PLEADER SMT.LILLYK.T.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-11-2015 ALONG WITH WPC.28432/2015 & WPC.30808/2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 - TRUE COPY OF THE APPLICATION DT. 30.6.2005 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 1ST PETITIONER IN RESPECT OF 0.0809 HECTARE OF LAND COMPRISED IN R.S NO. 238/5.**
- P2 - TRUE COPY OF THE APPLICATION DT. 30.1.2009 FILED U/S 28A LAND ACQUISITION ACT BY THE 2ND PETITIONER IN RESPECT OF 0.2765 HECTARES OF LAND COMPRISED IN R.S NO. 38/13.**
- P3 - TRUE COPY OF THE APPLICATION DT. 29.1.2009 FILED U/S. 28A OF LAND ACQUISITION ACT BY THE 3RD PETITIONER IN RESPECT OF 0.4685 HECTARES OF LAND COMPRISED IN R.S NO. 81/2.**
- P3(A) - TRUE COPY OF THE APPLICATION DT. 30.11.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 3RD PETITIONER IN RESPECT OF 0.5800 HECTARES OF LAND COMPRISED IN R.S NO. 351/1.**
- P4 - TRUE COPY OF THE APPLICATION DT. 30.11.2009 FILED U/S. 28A OF LAND ACQUISITION ACT BY THE 4TH PETITIONER IN RESPECT OF 0.2395 HECTARE AND 0.1457 HECTARE OF LAND COMPRISED IN R.S NO. 8/7 AND 30/7.**
- P5 - TRUE COPY OF THE APPLICATION DT. 20.7.2007 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 5TH PETITIONER IN RESPECT OF 0.5240 HECTARE 0.0766 HECTARE AND 0.1141 HECTARE OF LAND COMPRISED IN R.S NOS. 91/1, 91/3 AND 35.2B.**
- P6 - TRUE COPY OF THE APPLICATION DT. 24.12.2004 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 6TH PETITIONER IN RESPECT OF 0.0860 HECTARE OF LAND COMPRISED IN R.S NO. 76/2.**
- P7 - TRUE COPY OF THE APPLICATION DT. 20.12.004 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 7TH PETITIONER IN RESPECT OF 0.1482 HECTARE OF LAND COMPRISED IN R.S NO. 193/3.**
- P8 - TRUE COPY OF THE APPLICATION DT. 17.4.1998 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 8TH PETITIONER IN RESPECT OF 63 CENTS OF LAND COMPRISED IN R.S NOS. 91/15 AND 91/18.**
- P9 - TRUE COPY OF THE APPLICATION DT. 20.4.2005 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 9TH PETITIONER IN RESPECT OF 10 CENTS OF LAND COMPRISED IN R.S NO. 41/15.**
- P10 - TRUE COPY OF THE APPLICATION DT. 17.1.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 10TH PETITIONER IN RESPECT OF 60 CENTS OF LAND COMPRISED IN R.S NO. 87/6.**
- P11 - TRUE COPY OF THE APPLICATION DT. 30.11.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 11TH PETITIONER IN RESPECT OF 0.4720 HECTARE OF LAND COMPRISED IN R.S NO. 323/3.**

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- P12 - TRUE COPY OF THE APPLICATION DT. 17.01.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 12TH PETITIONER IN RESPECT OF 0.1580 HECTARE OF LAND COMPRISED IN R.S NO. 84/3.
- P13 - TRUE COPY OF THE APPLICATION DT. 30.11.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 13TH PETITIONER IN RESPECT OF 28 CENTS OF LAND COMPRISED IN R.S NO. 204.
- P14 - TRUE COPY OF THE APPLICATION DT. 24.2.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 14TH PETITIONER IN RESPECT OF 1 ACRE AND 50 CENTS OF LAND COMPRISED IN R.S NO. 68/2.
- P15 - TRUE COPY OF THE APPLICATION DT. 26.09.1995 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 15TH PETITIONER'S DECEASED MOTHER MARIYATHINTE AYISHA IN RESPECT OF 25 CENTS OF LAND COMPRISED IN R.S NO. 40/6.
- P15(A) -TRUE COPY OF THE APPLICATION DT. 11.5.1998 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 15TH PETITIONER IN RESPECT OF 0.0070 HECTARE OF LAND COMPRISED IN R.S NO.40/6.
- P15(B) - TRUE COPY OF THE APPLICATION DT. 26.09.1995 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 15TH PETITIONER'S DECEASED MOTHER MARIYATHINTE AYISHA IN RESPECT OF 0.0405 HECTARE OF LAND COMPRISED IN R.S NO. 362/5 (HOLDING NO.1)
- P15(C) - TRUE COPY OF THE APPLICATION DT.26.9.1995 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 15TH PETITIONER'S MOTHER MARIYATHINTE AYISHA IN RESPECT OF 0.0202 HECTARES COMPRISED IN R.S NO. 40/6.
- P15(D) -TRUE COPY OF THE APPLICATION DT.26.09.1995 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 15TH PETITIONER IN RESPECT OF 0.1316 HECTARES COMPRISED IN R.S NO. 40/6.
- P16 - TRUE COPY OF THE APPLICATION DT. 30.11.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 16TH PETITIONER IN RESPECT OF 44 CENTS OF LAND COMPRISED IN R.S NO. 220/1A.
- P17 - TRUE COPY OF THE APPLICATION DT. 22.4.2005 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 17TH PETITIONER IN RESPECT OF 0.1042 HECTARES OF LAND COMPRISED IN R.S NO. 199/3.
- P18 - TRUE COPY OF THE APPLICATION DT. 29.1.2009 FILED U/S 28A OF LAND ACQUISITION ACT BY THE 18TH PETITIONER IN RESPECT OF 0.4475 HECTARES OF LAND COMPRISED IN R.S NO. 81/2.
- P19 - TRUE COPY OF THE APPLICATION DT. 18.3.2010 FILED BY THE 19TH PETITIONER IN RESPECT OF 1 ACRE OF LAND COMPRISED IN R.S NO. 342/4.
- P20 - TRUE COPY OF THE ORDER NO. REF. D.DIS C - 2785/05 DT. 21.4.2009 ISSUED BY THE 3RD RESPONDENT.

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- P21 - TRUE COPY OF THE ORDER NO. REF D.DIS C. 242/09 DT. 18.6.2009 ISSUED BY THE 3RD RESPONDENT.
- P22 - TRUE COPY OF THE ORDER NO. REF. D. DIS 241/09/C DT. 17.6.2009 ISSUED BY THE 3RD RESPONDENT.
- P22(A) -TRUE COPY OF THE ORDER NO. REF. D.DIS 2599/09/C DT. 23.12.2009 ISSUED BY THE 3RD RESPONDENT.
- P23 - TRUE COPY OF THE ORDER NO. REF.D.DIS 2601/09/C DT. 23.12.2009 ISSUED BY THE 3RD RESPONDENT.
- P24 - TRUE COPY OF THE ORDER NO. REF. D.DIS 96/10/C DT. 04/3/2011 ISSUED BY THE 3RD RESPONDENT.
- P25 - TRUE COPY OF THE ORDER NO. REF. D. DIS 1737/05 DT. 07.3.2009 ISSUED BY THE 3RD RESPONDENT.
- P26 - TRUE COPY OF THE ORDER NO. REF. D.DIS C 1748/05 DT. 18.3.2009 ISSUED BY THE 3RD RESPONDENT.
- P27 - TRUE COPY OF THE ORDER NO. REF. D.DIS 544/05/C DT. 08.1.2009 ISSUED BY THE 3RD RESPONDENT.
- P28 - TRUE COPY OF THE ORDER NO.REF.D.DIS 2280/05 DT. 18.3.2009 ISSUED BY THE 3RD RESPONDENT.
- P29 - TRUE COPY OF THE ORDER NO. REF. D.DIS. C 127/09 DT. 19.6.2009 ISSUED BY THE 3RD RESPONDENT.
- P30 - TRUE COPY OF THE ORDER NO. REF.D.DIS 2598/09/C DT 23.12.2009 ISSUED BY THE 3RD RESPONDENT.
- P31 - TRUE COPY OF THE ORDER NO. REF.D.DIS 134/09/C DT. 10.7.2009 ISSUED BY THE 3RD RESPONDENT.
- P32 - TRUE COPY OF THE ORDER NO. REF.D.DIS 2603/09/C DT. 1.1.2010 ISSUED BY THE 3RD RESPONDENT.
- P33 - TRUE COPY OF THE ORDER NO. REF.D.DIS 483/09/C DT. 14.6.2009 ISSUED BY THE 3RD RESPONDENT.
- P34 - TRUE COPY OF THE ORDER NO. REF.C.1527/05 DT. 19.1.2009 ISSUED BY THE 3RD RESPONDENT.
- P34(A) -TRUE COPY OF THE ORDER NO. REF.C.645/05 DT. 17.2.2009 ISSUED BYTHE 3RD RESPONDENT.
- P34(B) -TRUE COPY OF THE ORDER NO. REF.C.D.DIS 1526/05(2) DT. 12.5.2008 ISSUED BY THE 3RD RESPONDENT.
- P34(C) - TRUE COPY OF THE ORDER NO.REF.C. D.DIS. 1526/05 (1) DT. 12.5.2008 ISSUED BY THE 3RD RESPONDENT.

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- P35 - TRUE COPY OF THE ORDER NO. REF.D.DIS. 2604/09/C DT. 01.1.2010 ISSUED BY THE 3RD RESPONDENT.
- P36 - TRUE COPY OF THE ORDER NO. REF.D.DIS. 2345/05 DT. 31.3.2009 ISSUED BY THE 3RD RESPONDENT.
- P37 - TRUE COPY OF THE ORDER NO. REF.D.DIS. C 245/09 DT. 17.6.2009 ISSUED BY THE 3RD RESPONDENT.
- P38 - TRUE COPY OF THE ORDER NO. REF.D.DIS. 441/10/C DT. 18.10.2010 ISSUED BY THE 3RD RESPONDENT.
- P39 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 01.6.2009 FILED U/S. 28A (3) OF LAND ACQUISITION ACT BY THE 1ST PETITIONER.
- P40 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 30.7.2009 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 2ND PETITIONER.
- P41 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT.30.7.2009 FILED U/S 28A (3) OF LAND ACQUISITION ACT BY THE 3RD PETITIONER.
- P41(A) -TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 04.2.200 FILED U/S. 28A(3) OF LAND ACQUISITION ACT BY THE 3RD PETITIONER.
- P42 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 30.1.2010 FILED U/S 28A (3) OF LAND ACQUISITION ACT BY THE 4TH PETITIONER.
- P43 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 22.3.2011 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 5TH PETITIONER.
- P44 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT.02.5.2009 FILED U/S. 28A(3) OF LAND ACQUISITION ACT FILED BY THE 6TH PETITIONER.
- P45 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 05.5.2009 FILED U/S. 28A(3) OF LAND ACQUISITION ACT BY THE 7TH PETITIONER.
- P46 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 21.2.2009 FILED U/S 28A(3) OF LAND ACQUISITION FILED BY THE 8TH PETITIONER.
- P47 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 22.4.2009 FILED U/S 28A(3) OF LAND ACQUISITION FILED BY THE 9TH PETITIONER.
- P48 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 15.7.2009 FILED U/S 28A(3) OF LAND ACQUISITION FILED BY THE 10TH PETITIONER.
- P49- TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 30.1.2010 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 11TH PETITIONER.
- P50 - APPLICATION FOR REFERENCE DT. 11.8.2009 FILED U/S 28A (3) OF LAND ACQUISITION ACT BY THE 12TH PETITIONER.
- P51 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 04.2.2010 FILED U/S 28A (3) OF LAND ACQUISITION ACT BY THE 13TH PETITIONER.

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- P52 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 28.8.2009 FILED U/S 28A (3) OF LAND ACQUISITION ACT BY THE 14TH PETITIONER AGAINST EXT. P33 ORDER.
- P53 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 10.2.2009 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 15TH PETITIONER.
- P53(A) - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 4.3.2009 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 15TH PETITIONER.
- P53(B) - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 17.5.2008 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 15TH PETITIONER.
- P53(C) - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 17.5.2001 FILED U/S. 28A(3) OF LAND ACQUISITION ACT BY THE 15TH PETITIONER.
- P54- TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 30.1.2010 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 16TH PETITIONER
- P55- TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 28.5.2009 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 17TH PETITIONER.
- P56 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 30.7.2009 FILED U/S 28A(3) OF LAND ACQUISITION ACT BY THE 18TH PETITIONER.
- P57 - TRUE COPY OF THE APPLICATION FOR REFERENCE DT. 13.12.2010 FILED U/S 28A(3) OF LAND ACQUISITION BY THE 19TH PETITIONER.
- P58 - TRUE COPY OF THE NOTICE NO. REF.D.14111/2009 DATED NIL ISSUED BY THE 3RD RESPONDENT.
- P59 - TRUE COPY OF THE REPLY DT.02.12.2009 FILED BY THE 1ST PETITIONER BEFORE THE 3RD RESPONDENT.
- P60 - TRUE COPY OF THE REPRESENTATION DT. 27.7.12 FILED BEFORE THE LAND REVENUE COMMISSIONER.
- P61 - TRUE COPY OF THE REPRESENTATION FILED BY THE EZHIMALA ACTION COMMITTEE DT. 08.11.2011 BEFORE THE HON'BLE CHIEF MINISTER OF KERALA.
- P62 - TRUE COPY OF THE LETTER NO. C2/44178/11 DT. 22.11.2011 SENT TO SMT. T.P.KARTHYAYANI.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.28263 OF 2015 (G)

W.P.(C).NO.28432 OF 2015 (D)

&

W.P.(C).NO.30808 OF 2015 (A)

Dated this the 13th day of November, 2015

J U D G M E N T

In all these writ petitions, the petitioners who had preferred applications under Section 28A (3) of the Land Acquisition Act, 1894, hereinafter referred to as the 'LA Act', seek a direction to the 4th respondent, the Special Tahsildar, (L.A. General), Thalasseri, Kannur District, to refer the issue of entitlement for compensation, covered by their applications, to the Sub Court, Payyannur, for determination of the compensation that is due to them in connection with the land acquisition proceedings, by the said court. In the writ petitions, the applications preferred by the petitioners under Section 28A (3) of the LA Act were rejected inter alia on the ground that the petitioners had sought for the benefit of Section 28A (3) by relying on an award of the reference court in applications filed under Section 28A (3) by other persons. In the said orders, there is also some doubt cast on the identity of the land that was acquired, in that it is stated that the survey number cited by the petitioners did not tally with the survey number of the lands that were the subject matter of acquisition. The respondents also contend that, in some cases, the property in question

is not similarly situated as the property that was covered by the award passed under Section 28A (3) which was the subject matter of the judgment of the reference court, relied upon by the petitioners.

2. I have heard the learned counsel for the petitioners as also the learned Government Pleader for the respondents. I have also gone through the counter affidavit filed in W.P.(C).No.28263/2015.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking note of the fact that the applications submitted by the petitioners under Section 28A (1) of the LA Act were rejected by the Collector stating that the award passed in favour of other persons whose lands were acquired under the same notification, could not be made applicable to the case of the petitioners since those awards were passed under Section 28A (3) and not under Section 18 of the LA Act, I find that the reasons given in the impugned orders of the Collector are flawed. It is trite that, when an application is preferred under Section 28A of the LA Act by a person whose land has been acquired, so as to get the benefit of an award that has been passed in relation to the properties belonging to other

persons which were also acquired in the same acquisition proceedings, the rights of the petitioners under Article 300A of the Constitution of India have to be considered, and the applicants have to be extended the benefit of the award passed in favour of other persons similarly situated as the applicants. A hyper technical view cannot be taken in respect of the extension of similar benefits to persons similarly situated in land acquisition proceedings. Accordingly, I dispose these writ petitions with a direction to the 4th respondent to act on the applications submitted by the petitioners by referring the matter concerning the determination of compensation for the properties belonging to the petitioners, to the Sub Court, Payannur, within a period of two months from the date of receipt of a copy of this judgment. While doing so, the 4th respondent shall also verify the identity of the properties and ensure that the properties are those falling under the survey numbers which are notified in the notifications issued in connection with the acquisition proceedings.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**