

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C) .No. 28822 of 2015 (C)

PETITIONER(S) :

TENNISE JOSEPH,
AGED 44 YEARS, S/O. JOSEPH,
THEKKETHOTTIYIL HOUSE, CHANDAKUNNU,
NILAMBUR, MALAPPURAM DISTRICT.

BY ADV. SRI. BABU S. NAIR.

RESPONDENT(S) :

1. THE DISTRICT COLLECTOR
MALAPPURAM - 676 505.
2. THE TAHSILDAR,
NILAMBUR TALUK, MALAPPURAM - 679 329.
3. THE SUB REGISTRAR,
SUB REGISTRAR'S OFFICE, NILAMBUR,
MALAPPURAM - 679 329.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXHIBIT-P1- TRUE COPY OF THE POSSESSION CERTIFICATE IN RESPECT OF THE PROPERTIES ISSUED BY THE VILLAGE OFFICER, NILAMBUR VILLAGE DATED 03/09/2015.
- EXHIBIT-P2- TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT NO. B5-11314/2013 DATED 30/05/2013.
- EXHIBIT-P3- TRUE COPY OF THE NOTIFICATION DATED 20/05/2013 ISSUED FROM THE COMMISSIONERATE OF LAND REVENUE.
- EXHIBIT-P4- TRUE COPY OF THE COMMUNICATION ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT DATED 01/02/2014.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 28822 of 2015

Dated this the 7th day of October, 2015

J U D G M E N T

Petitioner is the owner of 21 cents of wet land in R.S.No.54/2 of the Nilambur Village and one cent of dry land in R.S.No.54/4. The petitioner submits that fair value for the dry land is fixed as ₹85,000/- and the fair value of the wet land is fixed as ₹3,40,000/- per are. Petitioner points out the determination of fair value, as per the proceedings of the District Collector in respect of the landed property in the same survey belonging to his neighbour. Ext.P2 is the order of the District Collector. As seen from Ext.P2, the District Collector fixed the fair value of the land in R.S.No.54/2 at ₹1 lakh.

2. This Court is of the view that the petitioner's case shall be considered by the District Collector, in the light of Ext.P2, after verifying the fact that if petitioner's property is lying contiguous to the

land in Ext.P2, necessarily the fair value shall be fixed as ordered in Ext.P2. Needful shall be done within one month from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

sd/-
A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO.28822 OF 2015

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