

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

WP(C).No. 32696 of 2010 (J)

PETITIONER(S):

K.K.RAJAPPAN, S/O.KUTTY, AGED 57
KOCHUVEETIL HOUSE, ATHIRAMPUZHA P.O.
ATHIRAMPUZHA VILLAGE, KOTTAYAM DISTRICT.

BY ADVS.SRI.S.SREEKUMAR
SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SMT.HANI P.NAIR

RESPONDENT(S):

1. STATE OF KERALA
ITS SECRETARY, PUBLIC WORKS DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. THE KERALA STATE TRANSPORT PROJECT
(KSTP), DIVISION OFFICE, REST HOUSE COMPOUND
MUVATTUPUZHA P.O., PIN-686 661.
3. SPECIAL TAHSILDAR,
LAND ACQUISITION, KERALA STATE TRANSPORT PROJECT
CHANGANASSERY, PIN-686 101.
4. EXECUTIVE ENGINEER,
KERALA STATE TRANSPORT PROJECT, MUVATTUPUZHA
PIN-686 661.
5. SARASWATHYKUTTYAMMA, W/O. PURUSHOTHAMAN NAIR
AGED 58, SAWPARNIKA
THAVALAKUZH, ATHIRAMPUZHA VILLAGE, ETTUMANOOR P.O.
PIN-686 631.

R,R5 BY ADV. SRI.MATHEW PHILIP EDAPPALLIL
R,R5 BY ADV. SRI.DELEEP RAJ
R BY SR.GOVERNMENT PLEADER SRI.JOE KALLIATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.32696 of 2010

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF REPRESENTATION DATED 28.10.2008
SUBMITTED BEFORE THE RESPONDENTS 3 & 4 BY THE
PETITIONER.
- EXHIBIT P2 : TRUE COPY OF ACKNOWLEDGMENT CARD.
- EXHIBIT P3 : TRUE COPY OF ACKNOWLEDGMENT CARD
- EXHIBIT P4 : TRUE COPY OF PLAIN IN O.S.NO.209 OF 2010 BEFORE THE
MUNSIFF'S COURT, ETTUMANNOOR.
- EXHIBIT P5 : TRUE COPY OF INJUNCTION PETITION ALONG WITH
O.S.NO.209 OF 2010 BEFORE THE MUNSIFF'S COURT,
ETTUMANNNOOR.
- EXHIBIT P6 : TRUE COPY OF COUNTER AFFIDAVIT DATED 1.10.2010 FILED
BY THE PETITIONER.

RESPONDENT(S) EXHIBITS

- EXT.R5(a) PHOTOGRAPHS OF SHOP ROOMS.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.32696 of 2010

Dated this the 22nd day of July, 2015

J U D G M E N T

Heard the counsel for the petitioner as well as the fifth respondent and also the Senior Government Pleader.

2. A consensus has been arrived at by the parties to give a quietus to the issue.

3. The fifth respondent has agreed to pay a sum of ₹ 3,50,000/- to the petitioner on or before 25.8.2015. The petitioner is granted time till 25.8.2015 to vacate the leasehold premises.

4. The parties are entitled to re-open this writ petition in case the amount is not paid or the premises is not vacated within the time agreed.

The balance extent of land remaining after acquisition can be retained by the fifth respondent. The writ Petition is disposed of as withdrawn subject to the compliance of the conditions afore-stated.

Sd/-
V.CHITAMBARESH,
Judge.

nj.