

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

WP(C).No. 29033 of 2015 (D)

PETITIONER(S):

- 1. P.F.JOSEPH, AGED 59 YEARS,
SON OF FRANCIS, PUTHEZHATHU HOUSE,
AZAD ROAD SOUTH END, KALOOR,
KOCHI-17.**
- 2. P.F.THOMAS, AGED 63 YEARS,
SON OF FRANCIS, PUTHEZHATHU HOUSE,
AZAD ROAD SOUTH END, KALOOR, KOCHI-17.**

**BY ADVS.SRI.S.K.AJAY KUMAR
SMT.PRIYA. H.**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
CIVIL STATION, KAKKANAD,
ERNAKULAM-682 030.**
- 2. THE SPECIAL TAHSILDAR L.A.,
VYTTILA-682 345.**

BY GOVERNMENT PLEADER SMT.LILLY K.T.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 29033 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE LAND TAX RECEIPT OF SY.NO.173/5 OF ELAMKULAM
VILLAGE OFFICE DATED 19.02.2015.**

**EXT.P2: TRUE COPY OF THE NOTICE DATED NIL ISSUED BY THE SPECIAL
TAHSILDAR (LA), VYTTILA.**

**EXT.P3: TRUE COPY OF THE OBJECTION DATED 31.08.2015 SUBMITTED BY THE
PETITIONERS BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 29033 of 2015

Dated this the 20th day of October, 2015

JUDGMENT

The petitioners, who are owners of 2.26 Ares of land comprised in Sy.No. 173/5 of Elamkulam Village, which property is under acquisition by the 2nd respondent for the widening of Thammanam -Pullepady Road under the DLPC Scheme, have filed Ext.P3 objection against the classification of their land as Nilam Nikathu Purayidom and putting it in the 3rd category. According to the petitioner, the land in question is classifiable as Purayidam falling under the 1st category and entitled to a better value. In this connection, the petitioners have preferred Ext.P3 objection before the 1st respondent and the limited prayer of the petitioners in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P3, expeditiously, after hearing the petitioner.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass

orders on Ext.P3, after hearing the petitioners, within a period of one month from the date of receipt of a copy of this judgment. The petitioners shall produce the writ petition together with a copy of this judgment before the 1st respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE