

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

WP(C).No. 29884 of 2014 (I)

PETITIONER:

K. SREEKUMAR, AGED 70 YEARS, S/O.LATE KRISHNA PILLA,
URAVILAKOM, THAMPURAN NAGAR, STUDIO ROAD,
NEMOM VILLAGE, THIRUVANANTHAPURAM 695 020

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM,
COLLECTORATE, CIVIL STATION,
KUDAPPANAKUNNU,
THIRUVANANTHAPURAM 695 001.

2. SPECIAL TAHSILDAR(L.A),(N.H),
OFFICE OF THE SPECIAL TAHSILDAR L.A(N.H),
P.M.G JUNCTION, THIRUVANANTHAPURAM 695 001.

BY GOVERNMENT PLEADER SRI. T.R. RAJESH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE PHOTOCOPIES OF THE CONSENT DEEDS SIGNED AND EXECUTED UPON NEGOTIATED SETTLEMENT ON 6-4-2013
- EXHIBIT P2 TRUE PHOTOCOPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT ON SUBMISSION OF THE AFORESAID DOCUMENTS DATED NIL
- EXHIBIT P3 TRUE PHOTOCOPY OF PUBLICATION MADE IN MALAYALAM DAILY"KERALA KAUMUDI" DATED 31-10-2013
- EXHIBIT P4 TRUE PHOTOCOPY OF THE NOTARIZED AFFIDAVIT SWORN ON 11-11-2013 AND SUBMITTED ON 12-11-2013
- EXHIBIT P5 TRUE PHOTOCOPY OF THE COVERING LETTER SUBMITTED ALONG WITH EXHIBIT P4
- EXHIBIT P6 TRUE PHOTOCOPY OF THE REPRESENTATION DATED 3-09-2014 SUBMITTED BEFORE THE 1ST RESPONDENT
- EXHIBIT P7 TRUE PHOTOCOPY OF AWARD STATEMENT IN L.A.C. 245/13 AND 363/13 ISSUED BY 2ND RESPONDENT IN REPLY TO APPLICATION UNDER RIGHT TO INFORMATION ACT.
- EXHIBIT P8 TRUE PHOTOCOPY OF AWARD ENQUIRY STATEMENT DATED 21.05.2013 AND MAHAZAR IN L.A.C. NO. 238/2013 ISSUED ON APPLICATION UNDER RIGHT TO INFORMATION ACT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 29884 OF 2014

Dated this the 30th day of March, 2015

JUDGMENT

The petitioner claims title to the property acquired under a 'Will' (document No. 22/1978, SRO, Nemom) executed by his father. The compensation amount has been arrived at by negotiation totaling to ₹11,53,078/- per cent. The property is situated in Sy. Nos. 978/20, 31, 37 and 38 of Nemom village in Thiruvananthapuram district.

2. The Government Pleader on instructions submits that the entire amount has been deposited in the court of the Subordinate Judge of Thiruvananthapuram. It is for the petitioner to prove the 'Will' aforesaid in that court and seek disbursement of the amount in deposit. Any motion made in that regard within one month from today shall be dealt within three months thereafter by the reference court.

3. The question whether the petitioner is entitled to further compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is left open.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**