

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 30369 of 2014 (U)

PETITIONERS:

1. BAIJU K.S., T.C.8/299(1),
RA 224, THIRUMALA P.O.,
THIRUVANANTHAPURAM.
2. M.H.ROBINSON, TC.18/88,
ANUGRAHA, JRA 608, THIRUMALA P.O.,
THIRUVANANTHAPURAM.
3. VIJAYARAJ, VATTAVILA,
KUNNAPUZHA, ARAMADA P.O.,
THIRUMALA.
4. PREM CHANDRAN NAIR, SECRETARY,
JANAKSHEMA SAMITHY CHARITABLE SOCIETY,
PUTHANKADA, THIRUMALA P.O.,
THIRUVANANTHAPURAM - 695 006.

BY ADVS.SRI. VEMBAYAM A.A. HAKKIM
SRI.A.CHANDRA BABU
SMT.S.S.LOVE L I N SITHARA

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY ITS
CHIEF SECRETARY, GOVERNMENT OF KERALA,
SECRETARIATE, STATUE, THIRUVANANTHAPURAM-695001.
2. THE DISTRICT COLLECTOR
THIRUVANANTHAPURAM,
COLLECTORATE, KUDAPPANAKUNNU
THIRUVANANTHAPURAM-695001.
3. THE SPECIAL THASILDAR
L.A., PWD (SOUTHERN CIRCLE), FORT
THIRUVANANTHAPURAM 695001.

R3 BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE SALE DEED NO.2085/10.
- EXHIBIT P2 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER 1 TO 3 DATED 22.02.2014.
- EXHIBIT P3 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 4TH
PETITIONER DATED 1.1.2014.
- EXHIBIT P4 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 4TH
PETITIONER.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 30369 OF 2014

Dated this the 28th day of July, 2015

JUDGMENT

It is not a dispute that the price of the property of the petitioners was fixed by negotiation. The same was not in accordance with the provisions of the Land Acquisition Act, 1894.

2. Therefore no case for making a reference under Section 18 of the Land Acquisition Act, 1894 arises. The petitioners are free to negotiate with the respondents for additional compensation if they are entitled to if any.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd