

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 33945 of 2014 (P)

PETITIONER:

K.P.KHAIRUNNISSA ABDULKAREEM, AGED 60 YEARS
W/O.ABDULKAREEM, PARILAKATHOOT HOUSE, APSARA GARDENS,
KODER LANE, ALUVA, PIN-683101.

BY ADVS.SRI.K.S.SAJEEV KUMAR
LAJI SAM ZACHARIAH

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
ERNAKULAM, COLLECTORATE, KAKKANAD
KOCHI-682030.
2. THE VILLAGE OFFICER,
ALUVA-683 101.
3. THE SPECIAL TAHSILDAR,
LAND ACQUISITION NO.2, KOCHI METRO RAIL PROJECT
COLLECTORATE, CIVIL STATION, KAKKANAD
ERNAKULAM DISTRICT-682030.
4. THE SUPERINTENDENT,
SURVEY AND LAND RECORDS, COLLECTORATE, KAKKANAD
ERNAKULAM, KOCHI-682030.
5. THE STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY TO GOVERNMENT
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM, PIN-695001.

R BY GOVERNMENT PLEADER SRI.TOM.K.THOMAS.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 A TRUE COPY OF THE POSSESSION CERTIFICATE NO.891/2010 DATED
03/2010

EXT.P2 A TRUE COPY OF THE LOCATION SKETCH ISSUED BY VILLAGE
OFFICER,ALUVA

EXT.P3 A TRUE COPY OF THE SITE PLAN ISSUED BY THE VILLAGE OFFICER, ALUVA

EXT.P4 A TRUE COPY OF THE TAX RECEIPT DATED 24.08.2002 ISSUED BY VILLAGE
OFFICER, ALUVA

EXT.P5 A TRUE COPY OF THE NOTIFICATION NO.48/13/LAII PUBLISHED IN
DESHABHIMANI DAILY DATED 08.09.2013

EXT.P6 A TRUE COPY OF THE NOTICE NO.A2-48/2013/LAII(1)DATED 03.10.2013

EXT.P7 A TRUE COPY OF THE LETTER DATED 12.12.2013 ISSUED BY THE
PETITIONER TO THE FIRST RESPONDENT

EXT.P8 A TRUE COPY OF THE LETTER DATED 13.12.2013 ISSUED BY THE
MANAGER,METRO RAL PROJECT LTD,KOCHI

EXT.P9 A TRUE COPY OF THE LETTER NO.L1-84808/13 DATED 28.02.2014 ISSUED
BY THE 1ST RESPONDENT TO THE PETITIONER

EXT.P10 A TRUE COPY OF THE NITICE NO.4837 DATED 14.05.2014 ISSUED BY THE
4TH RESPONDENT TO THE PETITIONER

EXT.P11 A TRUE COPY OF THE LETTER NO.L.A.C.NO.09/14/LAII DATED 30.10.2014

EXT.P12 A TRUE COPY OF THE REPRESENTATION DATED 12.11.2014 SUBMITTED
BY THE PETITIONER TO THE THIRD RESPONDENT

EXT.P13 A TRUE COPY OF THE SAID LETTER L.A.C.NO.09/14/LA II DATED
02.12.2014 ISSUED BY THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.33945 of 2014

Dated this the 9th day of January, 2015

J U D G M E N T

The petitioner asserts that her property acquired for the Cochin Metro Rail Project extends to about 1 Are. The third respondent on the other hand maintains that the document of title in favour of the petitioner takes in only 9 Sq.Meters. All these are matters to be thrashed out in the enquiry under Section 15 of the the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013. The petitioner has in this regard submitted Ext.P12 objection which is pending consideration with the third respondent.

2. I direct the third respondent to consider Ext.P12 representation with notice to the petitioner. It is open to the petitioner to produce all the necessary documents in support of her title and possession over a larger extent. Final orders on Ext.P12 objection shall be passed within a period of six weeks from the date of production of this judgment.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.