

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 34915 of 2014 (L)

PETITIONER(S)/PETITIONER:

V.P.RASHEED, AGED 58 YEARS
PROPRIETOR, M/S E ORIENTAL TIMBERS, NH BYPASS
EDAPPALLY, ERNAKULAM.

BY ADVS.SRI.SHAIJAN C.GEORGE
SMT.S.REKHA KUMARI
SRI.M.T.AJITH
SMT.SAJITHA GEORGE

RESPONDENT(S)/RESPONDENTS:

1. DISTRICT COLLECTOR,
CIVIL STATION, COLLECTORATE, KAKKANAD
ERNAKULAM-682 030.
2. DEPUTY COLLECTOR(LA NO.1),
KOCHI METRO RAIL PROJECT, CIVIL STATION, KAKKANAD
ERNAKULAM-682030.
3. MANAGING DIRECTOR,
KOCHI METRO RAIL LTD, REVENUE TOWER, PARK AVENUE
ERNAKULAM-682018.

R3 BY ADV. SRI.K.JAJU BABU (SR.)
R3 BY ADV. SMT.M.U.VIJAYALAKSHMI, SC, KOCHI METRO RAIL LTD.
R BY GOVERNMENT PLEADER SRI.TOM K THOMAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-02-2015, ALONG WITH W.P.(C) NO.2645/2015, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 34915 of 2014 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE CROSS PROPOSAL DATED 30.10.2014

EXT.P2 TRUE COPY OF THE JUDGMENT IN WP(C)5055/13 DATED 7.11.14

EXT.P3 TRUE COPY OF THE NOTICE DATED 25.11.14

EXT.P4 TRUE COPY OF THE ORDER OF THE IST RESPONDENT DATED 4.12.2014

EXT.P5 TRUE COPY OF THE GOVERNMENT ORDER GO(MS)NO.419/11/RD DATED
15.11.2011

EXT.P6 TRUE COPY OF THE GO(RD)NO.3085/14 DATED 5.7.14.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P.(C) Nos.34915/2014 & 2645/2015

Dated this the 6th day of February, 2015

J U D G M E N T

The respondents submit that the market value of the land in addition to 100% solatium would be paid to the petitioner. This is the rate arrived at by the District Level Purchasing Committee. 80% of the said amount is being disbursed now in view of the urgency clause invoked. The petitioner is free to pocket the money without prejudice to his rights. The right of the petitioner to claim enhanced compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 is not impaired in other words. The respondents undertake to pay the money to the petitioner on his executing the requisite agreement and on production of the document. A copy of the plan and site mahazar (if any prepared) shall also be furnished by the fourth respondent to the petitioner. No further contentions are urged.

The writ Petitions are disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.