

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937**

**WP(C).No. 37273 of 2015 (H)**  
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**PETITIONER:**  
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**P V SHAREEFABI, AGED 50 YEARS,  
W/O MOHAMMED ALI, FLAT NO.703,  
PRABHATH RESIDENCY FORT ROAD,  
KANNUR DISTRICT-670 001.**

**BY ADV. SMT.C.G.PREETHA**

**RESPONDENTS:**  
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- 1. THE DISTRICT COLLECTOR,  
COLLECTORATE, KANNUR DISTRICT-670 002.**
- 2. THE REVENUE DIVISIONAL OFFICER,  
THALASSERY-670101.**
- 3. THE SECRETARY TO GOVERNMENT OF KERALA,  
DEPARTMENT OF TOURISM, SECRETARIAT,  
THIRUVANANTHAPURAM-695001.**

**BY GOVERNMENT PLEADER SRI.R.RANJITH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 16-12-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**mbr/**

**WP(C).No. 37273 of 2015 (H)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS:**  
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- P1 : A TRUE COPY OF THE SALE DEED NO.825/1983 DATED 04.04.1983 OF  
BALIAPURAM SUB REGISTRY.**
- P2 : A TRUE COPY OF THE TAX RECEIPT DATED 24.04.2014.**
- P3 : A TRUE COPY OF THE NOTICE ISSUED BY THE RDO,THALASSERY  
DATED 20.06.2008.**
- P4 : A TRUE COPY OF THE LAWYER NOTICE DATED 10.09.2014 ISSUED TO THE  
REVENUE DIVISIONAL OFFICER,THALASSERY.**

**RESPONDENT(S)' EXHIBITS:** **NIL**  
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**//TRUE COPY//**

**P.S. TO JUDGE**

**mbr/**

**A.K.JAYASANKARAN NAMBIAR, J.**  
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**W.P.(C). No. 37273 of 2015**  
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**Dated this the 16<sup>th</sup> day of December, 2015**

**JUDGMENT**

The petitioner, who is stated to be in absolute ownership and possession of 40.47 Ares of land in R.Sy. No. 18/2 of Azhikode North Village, Kannur District, is aggrieved by the inaction on the part of the respondents in taking further steps pursuant to Ext.P3 notice, that was issued by the 2<sup>nd</sup> respondent, intimating the petitioner that the land belonging to her would be required for construction of a boat jetty complex in connection with a tourism project envisaged by the State Government. When the matter came up for orders today, it is submitted by the learned Government Pleader on behalf of the respondents that, pursuant to Ext.P3 notice, no further steps were taken by the respondents, in accordance with the provisions of the Land Acquisition Act and hence, the notification has since lapsed. It is also pointed out that the Government does not wish to pursue the project for which the land was initially contemplated for acquisition, and hence the property can be declared as free of any proceedings under the Land Acquisition Act. The said statement of the learned Government Pleader on instructions, is recorded and the writ

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petition is closed by declaring that the property aforementioned is not the subject matter of any acquisition proceedings under the Land Acquisition Act, 1894.

sd/-  
**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

das /16.12.15