2025:KER:31194

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 16284 OF 2019

PETITIONERS:

1 RAJAPUSHPAM
AGED 66 YEARS
W/O.SELVARAJ, RAJENDRAN ILLAM,
VENTURE.P.O, IRULAKADU,
ARYANKAVU VILLAGE, PATHANAPURAM TALUK,
KOLLAM DISTRICT.

2 VELAYUDHAN
AGED 73 YEARS
S/O.SANKU, ESTATE, LAYHAM FLORANCE,
KAZHUTHURUTHY, ARYANKAVU VILLAGE,
PATHANAPURAM TALUK.

3 SARADA
AGED 59 YEARS
W/O.BABU, 16 ACAR, KOTTAVASAL,
ARYANKAVU VILLAGE,
REPRESENTED BY ITS CHIEF MANAGER.

BY ADV ARUN BABU

RESPONDENTS:

1 THE POWER GRID CORPORATION OF INDIA LTD
VILAGAMPURAYIDAM, DOCTORS LANE PATHANAMTHITTA,
REPRESENTED BY ITS CHIEF MANAGER.

2 THE SPECIAL THAHASILDAR (COMPENSATION)
POWER GRID CORPORATION OF INDIA LA(PGCI),
PATHANAMTHITTA.

3 LEGAL SERVICE AUTHOIRTY
COLLECTORATE, KOLLAM-13,
REPRESENTED BY ITS SECRETARY.

BY ADV SRI.MILLU DANDAPANI
BY ADV SRI DHEERAJ A.S., GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.04.2025, ALONG WITH WP(C).25433/2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 25433 OF 2019

PETITIONERS:

1 RAGINI
AGED 60 YEARS
W/O.MANI, VINOD BHAVAN,
ARYANKAVU VILLAGE, PATHANAPURAM TALUK,
KOLLAM DISTRICT.

2 LISSY THOMAS
AGED 43 YEARS
W/O.THOMAS POOVATHOLIL KOTTAVASAL
ARYANKAVU VILLAGE, PATHANAPURAM TALUK

3 SIVANANDAN
AGED 62 YEARS
S/O.KUMARAM, SANIL BHAVAN, VENTURE.P.O,
ARYANKAVU VILLAGE, PATHANPURAM
KOLLAM DISTRICT

4 K.PARAVATHY
AGED 46 YEARS
D/O.KUTHALINGAM, PARVATHY VILASOM,
ARYANKAVU VILLAGE, PATHANAPURAM TALUK,
KOLLAM DISTRICT.

5 JAYARAJ
AGED 67 YEARS
S/O.JNANAMMA, KOCHAYYATHU VEEDU,
ARYANKAVU VILLAGE, PATHANAPURAM TALUK,
KOLLAM DISTRICT.

6 SIVADSAN
AGED 60 YEARS
S/O.GOVINDAN, PLAVILA VEEDU, IRULANKADU,
ARYANKAVU VILLAGE, PATHANAPURAM TALUK,
KOLLAM DISTRICT

7 RAJENDRAN
AGED 43 YEARS
S/O.NADARAJAN NANDU BHAVAN,
FLORANCE DIVISION, ARYANKAVU VILLAGE,
PATHANAPURAM TALUK, KOLLAM DISTRICT.

8 KANTHASWAMI
AGED 69 YEARS
S/O.SAPPANIMUTHU, KRISHNA BHAVAN,
IRULANKADU, VENTURE, ARYANKAVU VILLAGE,
PATHANAPURAM TALUK, KOLLAM DISTRICT.

9 THRESIAMMA
AGED 54 YEARS
W/O.JOY, ERATHU PUTHEN VEEDU KOTTAVASAL,
ARYANKAVU VILLAGE, PATHANAPURAM TALUK,
KOLLAM DISTRICT.

BY ADV ARUN BABU

RESPONDENTS:

1 THE POWER GRID CORPORATION OF INDIA LTD.
VILAGAMPURAYIDAM, DOCTORS LANE PATHANAMTHITTA,
REPRESENTED BY ITS CHIEF MANAGER

2 THE SPECIAL
THAHASILDAR(COMPENSATION), POWER GRID CORPORATION OF
INDIA LA(PGCI), PATHANAMTHITTA-689645

3 LEGAL SERVICE AUTHORITY
COLLECTORATE KOLLAM-13,
REPRESENTED BY ITS SECRETARY-691013

BY ADV SRI.MILLU DANDAPANI, SC
BY ADV SRI DHEERAJ A.S., GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.04.2025, ALONG WITH WP(C).16284/2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

2025:KER:31194

MOHAMMED NIAS C.P., J

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WP(C) Nos.16284 of 2019,
and 25433/2019

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Dated this the 10th day of April, 2025

J U D G M E N T

These writ petitions challenge the award passed by the Lok Adalat along with a batch of cases concerning the compensation payable concerning the damages caused to the yielding trees and the diminution of utility value of property caused due to the drawing of 400 KV line through the property of the petitioners.

2. W.P.(C) No. 16284 of 2019 challenges Exts.P4 to P6 awards dated 09.08.2014 in the O.P.(Electricity) filed by them before the IInd Additional District Court, Kollam. W.P.(C) No. 25433 of 2019 challenges Exts.P10 to P18 dated 09.08.2014 in the O.P.(Electricity) filed by them before the Ist Additional District Court, Kollam. There were other original petitions filed on the same subject matter.

3. Through the judgment dated 24.03.2017 in O.P.(C) No. 941 of 2017 and connected cases that challenged similar awards after five

years, the original petitions were dismissed on the ground of latches. The same would apply equally to the petitioners herein, where the challenge to the awards was after five years.

Under such circumstances, the writ petitions are dismissed.

Sd/-
MOHAMMED NIAS C.P.
JUDGE

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APPENDIX OF WP(C) 25433/2019

PETITIONER EXHIBITS :

EXHIBIT P1	**THE TRUE COPY OF THE PETITION DATED 22.01.2011 FILED BY THE 1ST PETITIONER IN OP(ELECTRICITY)59/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P2	**THE TRUE COPY OF THE PETITION DATED 06.01.2011 FILED BY THE 2ND PETITIONER IN OP(ELECTRICITY)31/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P3	**THE TRUE COPY OF THE PETITION DATED 05.01.2011 FILED BY THE 3RD PETITIONER IN OP(ELECTRICITY)37/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P4	**THE TRUE COPY OF THE PETITION DATED 10.01.2011 FILED BY THE 4TH PETITIONER IN OP(ELECTRICITY)44/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P5	**THE TRUE COPY OF THE PETITION DATED 27.01.2011 FILED BY THE 5TH PETITIONER IN OP(ELECTRICITY)79/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P6	**THE TRUE COPY OF THE PETITION DATED 03.02.2011 FILED BY THE 6TH PETITIONER IN OP(ELECTRICITY)173/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P7	**THE TRUE COPY OF THE PETITION DATED 03.02.2011 FILED BY THE 7TH PETITIONER IN OP(ELECTRICITY)195/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P8	**THE TRUE COPY OF THE PETITION DATED 03.01.2011 FILED BY THE 8TH PETITIONER IN OP(ELECTRICITY)18/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM**
EXHIBIT P9	**THE TRUE COPY OF THE PETITION DATED 27.01.2011 FILED BY THE 9TH PETITIONER IN**

	OP(ELECTRICITY)77/2011 FILED BEFORE THE 1ST ADDITIONAL DISTRICT COURT KOLLAM
EXHIBIT P10	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.59/2011 PERTAINING THE CASE OF THE 1ST PETITIONER**
EXHIBIT P11	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.31/2011 PERTAINING THE CASE OF THE 2ND PETITIONER**
EXHIBIT P12	**THE TRUE COPY OF THE AWARD DATED 19TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.37/2011 PERTAINING THE CASE OF THE 3RD PETITIONER**
EXHIBIT P13	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.44/2011 PERTAINING THE CASE OF THE 4TH PETITIONER**
EXHIBIT P14	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.79/2011 PERTAINING THE CASE OF THE 5TH PETITIONER**
EXHIBIT P15	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.173/2011 PERTAINING THE CASE OF THE 6TH PETITIONER**
EXHIBIT P16	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.195/2011 PERTAINING THE CASE OF THE7TH PETITIONER**
EXHIBIT P17	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.18/2011 PERTAINING THE CASE OF THE 8TH PETITIONER**
EXHIBIT P18	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP(ELE)NO.77/2011 PERTAINING THE CASE OF THE 9TH PETITIONER**

EXHIBIT P19	**THE TRUE COPY OF THE DVS DATED 13/09/2010 ISSUED TO THE 1ST PETITIONER**
EXHIBIT P20	**THE TRUE COPY OF THE DVS DATED 13/09/2010 ISSUED TO THE 2ND PETITIONER**
EXHIBIT P21	**THE TRUE COPY OF THE DVS DATED 04/08/2010 ISSUED TO THE 3RD PETITIONER**
EXHIBIT P22	**THE TRUE COPY OF THE DVS DATED 25/06/2010 ISSUED TO THE 4TH PETITIONER**
EXHIBIT P23	**THE TRUE COPY OF THE DVS DATED 25/06/2010 ISSUED TO THE 5TH PETITIONER**
EXHIBIT P24	**THE TRUE COPY OF THE DVS DATED 25/06/2010 ISSUED TO THE 6TH PETITIONER**
EXHIBIT P25	**THE TRUE COPY OF THE DVS DATED 28/03/20111 ISSUED TO THE 7TH PETITIONER**
EXHIBIT P26	**THE TRUE COPY OF THE DVS DATED 25/06/2010 ISSUED TO THE 8TH PETITIONER**

APPENDIX OF WP(C) 16284/2019

PETITIONER EXHIBITS :

EXHIBIT P1	**THE TRUE COPY OF THE PETITION DATED 04.01.2011 FILED BY THE 1ST PETITIONER IN OP (ELECTRICITY) 21/2011 FILED BEFORE THE DISTRICT COURT KOLLAM**
EXHIBIT P2	**THE TRUE COPY OF THE PETITION DATED 21/01/2011 FILED BY THE 2ND PETITIONER IN OP (ELECTRICITY) 64/2011 FILE BEFORE THE DISTRICT COURT, KOLLAM**
EXHIBIT P3	**THE TRUE COPY OF THE PETITION DATED 22/01/2011 FILED BY THE 3RD PETITIONER IN OP (ELECTRICITY) 58/2011 FILED BEFORE THE DISTRICT COURT, KOLLAM**
EXHIBIT P4	**THE TRUE COPY OF THE AWARD DATED 09TH AUGUST 2014 PASSED BY THE 3RD RESPONDENT IN OP (ELE)NO.21/2011 PERTAINING THE CASE OF THE 1ST PETITIONER**
EXHIBIT P5	**THE TRUE COPY OF THE AWARD DATED 09/08/2014 IN OP (ELE) 64/2011 PERTAINING TO THE 2ND PETITIONER**
EXHIBIT P6	**THE TRUE COPY OF THE AWARD DATED 09/08/2014 IN OP(ELE)58/2011 PERTAINING TO THE 3RD PETITIONER**
EXHIBIT P7	**THE TRUE COPY OF THE ORDER IN CRP 451/2012 DATED 16/09/2015 OF THIS HONBLE HIGH COURT OF KERALA**
EXHIBIT P8	**THE TRUE COPY OF THE DVS (DETAILED VALUATION STATEMENT) IN RESPECT TO THE TREES CUT FORM THE 1ST PETITIONERS PROPERTY**
EXHIBIT P9	**THE TRUE COPY OF THE DVS (DETAILED VALUATION STATEMENT) IN RESPECT TO THE TREES CUT FROM THE 2ND PETITIONERS PROPERTY**
EXHIBIT P10	**THE TRUE COPY OF THE DVS (DETAILED VALUATION**

STATEMENT) IN RESPECT TO THE TREES CUT FROM THE 3RD PETITIONERS PROPERTY

// True Copy // PA To Judge