

State of Kerala Vs. Saradamma

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Court : Kerala

Decided On : Dec-20-2012

Judge : Honourable Mr.Justice K.T.Sankaran

Appellant : State of Kerala

Respondent : Saradamma

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE K.T.SANKARAN & THE HONOURABLE MR.JUSTICE M.L.JOSEPH FRANCIS THURSDAY, THE 20TH DAY OF DECEMBER 2012 29TH AGRAHAYANA 193 LA.App..No. 508 of 2005 () ----- LAR.274/1999 of ADDL.SUB COURT,N.PARAVUR APPELLANT/1ST RESPONDENT:: ----- STATE OF KERALA, REPRESENTED BY DISTRICT COLLECTOR, ERNAKULAM, ERNAKULAM DISTRICT. BY GOVERNMENT PLEADER, SMT. ROSE MICHAEL RESPONDENTS/CLAIMANTS & ADDL.2ND RESPONDENT:: ----- 1. SARADAMMA, D/O. KARTHIYANI PILLAI, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETIL, KOOVAPPADY.

2. VIMAL KUMAR, S/O. SARADAMMA, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETIL, KOOVAPPADY.

3. VIJAYAMMA, D/O. SARADAMMA, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
4. GIRIJA, D/O. SARADAMMA, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
5. SAJEEV KUMAR, S/O. VIJAYAMMA, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
6. RAJEEV KUMAR, S/O. VIJAYAMMA, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
7. VIDYA, D/O. VIJAYAMMA, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
8. VIJAYAKUMAR, S/O. SUBRAMANIA PILLAI, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
9. SURESH BABU, S/O. SUBRAMANIA PILLAI, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
10. SANTHOSH KUMAR, S/O.SUBRAMANIA PILLAI, SARADA MANDIRAM, AMMAZHATHU PUTHENVEETTIL, KOOVAPPADY.
11. KOCHI INTERNATIONAL AIRPORT SOCIETY, REP. BY ITS MANAGING DIRECTOR, NEDUMBASSERY, ANGAMALY. R,R11 BY ADV. SRI.N.N.SUGUNAPALAN, SC, KIAS LTD. R,R11 BY ADV. SRI.S.SUJIN R,R10 BY ADV. SRI.N.K.KARNIS THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 20-12- 2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: K.T.SANKARAN & M.L.JOSEPH FRANCIS JJ., -
----- L.A.A. No.508 of 2005 B -----
----- Dated this the 20th day of December, 2012 JUDGMENT K.T. Sankaran J., An extent of 22.70 Ares of land in Survey No.372/6 of Koovappady village belonging to the respondents 1 to 10 was acquired for the purpose of establishing Outer Marker Signal Station for Kochi International Airport. Notification under Section 4(1) of the Land Acquisition Act was published on

6.6.1998. The Land Acquisition Officer awarded compensation fixing the land value at `28,500/- per are. On reference, the Land Acquisition Court, in L.A.R. No.274 of 1999, re-fixed the land value at `74,100/-per Are. L.A.R. No.274 of 1999 was tried and disposed of along with L.A.R No.282 of 1999 by a common judgment dated 12.11.2003. The State filed L.A.A. No.591 of 2005 against the L.A.A. No.508 of 2005 :2: judgment and decree in L.A.R. No.282 of 1999. A Division Bench of this Court in the judgment dated 25.6.2012 in L.A.A. No.591 of 2005 re-fixed the land value at `65,000/- per Are.

2. Following the judgment in L.A.A. No.591 of 2005, the land value in the present case is also liable to be re-fixed at `65,000/- per Are. Accordingly this L.A.A. is allowed in part and the land value is re-fixed at `65,000/- per Are. The claimants would be entitled to all the statutory benefits. Sd/ K.T. SANKARAN, (JUDGE) Sd/ M. L. JOSEPH FRANCIS, (JUDGE) dl/

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