

Kerala High Court

The District Collector vs Kannacheri Sreedharan on 10 July, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM

LA.App..No. 719 of 2008(D)

1. THE DISTRICT COLLECTOR, MALAPPURAM.
... Petitioner

Vs

1. KANNACHERI SREEDHARAN
... Respondent

For Petitioner :GOVERNMENT PLEADER

For Respondent : No Appearance

The Hon'ble MR. Justice PIUS C.KURIAKOSE

Dated :10/07/2008

O R D E R

PIUS C. KURIAKOSE, J.

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L.A.A.No.719 of 2008

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Dated: 10th July, 2008

JUDGMENT

This appeal by the Government relates to acquisition of 0.0020 hectares of land for the purposes of Diversion Road Block III in Pallikkal Village in Malappuram District pursuant to a notification under Section 4(1) dated 3.3.1997. The land acquisition officer awarded land value at the rate of Rs.6552/- per cent. This was enhanced to Rs.10,080/- per cent by the reference court relying on the evidence which consisted of Ext.A1 document on the side of the claimant apart from A.W.1, the testimony of the claimant, document Ext.B1 on the side of the respondent and the counter oral evidence of R.W.1. Having gone through the judgment of the learned Subordinate Judge I find that the judgment is based on the evidence which has been correctly appreciated. The value of the land arrived at by the learned Subordinate Judge is more or less equal to the market value of similarly situated properties. Moreover, it is brought to my notice that cases involving similar enhancement

granted by the reference court in relation to the acquisition for the same purposes have been confirmed by this court in dismissing appeals. This appeal therefore will stand dismissed in limine.

srd

PIUS C.KURIAKOSE, JUDGE