

Kerala High Court

State Of Kerala vs Saj Jacob on 19 May, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

LA.App..No. 350 of 2010()

1. STATE OF KERALA, REPRESENTED BY  
... Petitioner

Vs

1. SAJ JACOB, S/O CHACKO,  
... Respondent

For Petitioner : GOVERNMENT PLEADER

For Respondent : No Appearance

The Hon'ble MR. Justice PIUS C.KURIAKOSE  
The Hon'ble MR. Justice C.K.ABDUL REHIM

Dated : 19/05/2010

O R D E R

PIUS C.KURIAKOSE & C.K.ABDUL REHIM, JJ.

-----  
L.A.A.No.350 OF 2010  
-----

Dated this the 19th day of May, 2010

JUDGMENT

Pius C.Kuriakose, J.

We are not inclined to admit this appeal filed by the Government. The acquisition pertains to land in Manakkad village and was for the purpose of construction of Thodupuzha Bye-Pass road. The relevant Section 4(1) notification was published on 12/6/2002. The Land Acquisition Officer awarded land value at the rate of Rs.17,561/- per Are. The Reference Court in the impugned judgment refixed the same at Rs.57,733/- per Are.

2. Having regard to the judgment of this court in State of Kerala v. Jose Simon (2009 (1) KLT 760) and various other decisions of this court pertaining to acquisition of land in Manakkad village during the period 1989 and thereafter, we are of the view that the enhancement granted by the court below is justified and the Government cannot have any legitimate grievance regarding the impugned judgment. Accordingly, the appeal will stand dismissed, but without any order as to costs.

PIUS C.KURIAKOSE,JUDGE C.K.ABDUL REHIM , JUDGE dpk