



KMRL INTERNAL LEGAL MEMORANDUM

Ref No: KMRL/LEGAL/DIS/2023/1026/01

Subject: Legal Issue Regarding Land Acquisition Dispute at Panampilly Nagar Station Site

Date: October 26, 2023

Confidentiality: Strictly Confidential – For Internal Use Only

1. ISSUE SUMMARY

A legal dispute has arisen concerning the land acquisition process for the proposed Panampilly Nagar Station on the JLN Stadium-Kakkanad extension corridor. The affected party, M/s Greenview Properties, has filed a writ petition (WP(C) No. 4521/2023) before the Hon'ble High Court of Kerala challenging the compensation awarded under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. BACKGROUND

KMRL initiated land acquisition for the Panampilly Nagar Station in January 2023. The private land measuring 0.85 acres is critical for station infrastructure and entry/exit points. The Land Acquisition Officer awarded compensation based on the circle rate of 2022. The petitioner claims the compensation is inadequate as it does not reflect the current commercial market value of the property.

3. CURRENT STATUS

The High Court has issued a notice to KMRL and the State Government.

The next hearing is scheduled for November 30, 2023.

As an interim measure, the Court has not granted a stay on the acquisition process but has directed KMRL to maintain the status quo regarding construction on the disputed land

4. LEGAL ANALYSIS

Strength of KMRL's Position: The acquisition followed due process as per the 2013 Act. The circle rate used is legally valid and was duly notified.

Potential Vulnerability: The petitioner may argue that the circle rate is outdated, and recent commercial transactions in the area indicate a higher value. This could lead to the court ordering a re-assessment.

5. POTENTIAL RISK AND IMPLICATIONS

Project Delay: A prolonged legal battle could delay the station construction, impacting the overall project timeline for the Kakkanad extension.

Financial Impact: If the court orders higher compensation, it could set a precedent for other land acquisitions in the same corridor, increasing project costs.

Reputational Risk: Negative publicity regarding land acquisition could affect public perception.

CONCLUSION

This case requires a balanced approach that protects KMRL's legal and financial interests while ensuring the timely progress of a critical infrastructure project. Legal associates are requested to review all documents and prepare for a strategic response.

End of Memorandum

Prepared by:



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