

State Of Kerala Vs Mohan

Court: High Court Of Kerala

Date of Decision: July 1, 2024

Acts Referred: Land Acquisition Act, 1894 " Section 4(1)

Hon'ble Judges: G. Girish, J

Bench: Single Bench

Advocate: Sylaja.S.L, Ayyappan Sankar, Jayan John, S.Hridya, Sajeevan Kurukkuttiyullathil, Sabu N.S, K.A.Jaleel

Final Decision: Dismissed

Judgement

G. Girish, J

1. The State of Kerala has filed this appeal challenging the judgment dated 25.06.2013 of the IInd Additional Sub Judge, Thiruvananthapuram in

L.A.R.No.740/2008 fixing the land value of the acquired property at Rs.26,40,000/- per Are.

2. The case related to the acquisition of 0.11 Ares of land in Sy.No.81 of Kudappanakkunnu Village in Thiruvananthapuram Taluk for the widening of

Kowdiar-Vazhayila Road. The notification under Section 4(1) of the Land Acquisition Act was published on 11.06.2007 and the Land Acquisition

Officer passed an award on 09.05.2008 fixing an amount of Rs.5,84,054/- per Are as land value. It is the above amount which the trial court enhanced

to Rs.26,40,000/- per Are.

3. Heard the learned Government Pleader representing the appellant and the learned counsel for the 1st respondent.

4. The learned counsel for the 1st respondent brought to my notice the Division Bench judgments rendered by this Court in L.A.A.No.351/2013 &

connected cases, L.A.A.No.360/2013 & connected cases, which upheld the fixation of land value at Rs.28 lakh per Are in respect of similar cases

coming under the same acquisition wherein the lands acquired are identical to the land acquired in this case.

5. In the light of the aforesaid judgment dated 19.08.2015 in L.A.A.Nos.351/2013, 426/2013, 299/2013, 340/2013, 305/2013, 837/2013, 20/2014,

669/2012 with C.O.No.6/2013 & L.A.A.No.16/2013 with C.O.No.18/2013 and the judgment dated 20.08.2015 in L.A.A.Nos.360/2013, 329/2013,

670/2014, 639/2014, 488/2014, 39/2024, 24/2014, 873/2014, 122/2013 with C.O.No.23/2013, 755/2012 with C.O.No.12/2013 & 756/2012 with

C.O.No.10/2013 rendered by the Division Bench of this Court, it cannot be said that the land value fixed by the Trial Court as Rs.26,40,000/- per Are

is unreasonable or exorbitant.

Therefore, the appeal fails, and it is dismissed accordingly.