

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 227 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 31.07.2014 IN

L.A.R.NO.113 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANT/CLAIMANT:

VATTAKUNDUMKARA KOUSALYA

AGED 65 YEARS, D/O. LATE MADHAVI, POURNAMI  
NIVAS, KEEZHALLUR P.O., KANNUR (DT) - 670 612.

BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENTS AND 2ND CLAIMANT:

- 1 GOVERNMENT OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR - 670 002.
- 2 THE MANAGING DIRECTOR,  
KINFRA ANNEX, ELANKON GARDENS, VELLAYAMBALAM,  
THIRUVANANTHAPURAM - 695 010.
- 3 THE SPECIAL THAHSILDAR,  
LA, AIRPPORT NO.1, MATTANNUR,  
KANNUR DISTRICT - 670 702.
- 4 OTTAYIL KARA ILLATH SATHYANARAYANAN NAMBUDIRI,  
OTTAYIL KARA ILLAM, ELAMPARA P.O., KANNUR  
DISTRICT - 670 595.

R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER

R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

L.A.A.No.227 of 2019  
and connected cases

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH  
LA.App.NO.239/2019 AND CONNECTED CASES, THE COURT ON THE  
SAME DAY DELIVERED THE FOLLOWING:

L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 229 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 31.07.2014 IN

L.A.R.NO.100 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANT/CLAIMANT:

VATTAKUNDUMKARA KAMALA

AGED 67 YEARS, D/O LATE MADHAVI, SREENIVAS,  
KEEZHALLUR.P.O, KANNUR(DT) - 670612.

BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENT AND 2ND CLAIMANT:

- 1 GOVERNMENT OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR-670002.
- 2 THE MANAGING DIRECTOR,  
KINFRA ANNEX, ELANKON GARDENS,  
VELLAYAMBALAM, THIRUVANANTHAPURAM-695010.
- 3 THE SPECIAL THAHSILDAR,  
LA, AIRPORT NO.1, MATTANNUR,  
KANNUR DISTRICT-670702.
- 4 OTTAYIL KARA ILLATH SATHYANARAYANAN NAMBU DIRI,  
OTTAYIL KARA ILLAM, ELAMPARA.P.O, KANNUR  
DISTRICT-670595.

L.A.A.No.227 of 2019  
and connected cases

R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER  
R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH LA.App..239/2019  
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 231 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 31.07.2014 IN

L.A.R.NO.70 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANT/CLAIMANT:

VATTAKUNDUMKARA CHANDRAN

AGED 73 YEARS, S/O. LATE MADHAVI, PANERICHAL  
P.O., KANNUR DIST. - 670614.

BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENTS AND 2ND CLAIMANT:

- 1 GOVT. OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR - 670002
- 2 THE MANAGING DIRECTOR  
KINFRA ANNEX, ELANKON GARDENS, VELLAYAMBALAM,  
THIRUVANANTHAPURAM - 695010.
- 3 THE SPECIAL THAHSILDAR  
LA, AIRPORT NO.I, MATTANNUR,  
KANNUR DISTRICT - 670702.
- 4 OTTAYIL KARA ILLATH SATHYANARAYANAN NAMBU DIRI  
OTTAYIL KARA ILLAM, ELAMPARA P. O., KANNUR  
DISTRICT - 670595.

L.A.A.No.227 of 2019  
and connected cases

R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER  
R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH LA.App..239/2019  
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 232 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 31.07.2014 IN

L.A.R.NO.115 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANT/CLAIMANT:

VATTAKUNDUMKARA RAGHAVAN

AGED 70 YEARS, S/O. LATE MADHAVI, DEVAMRUTHAM,  
KEEZHALLUR P.O., KANNUR (DT.) - 670 6121.

BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENTS & 2ND CLAIMANT:

- 1 GOVERNMENT OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR - 670 002.
- 2 THE MANAGING DIRECTOR,  
KINFRA ANNEX, ELANKON GARDENS, VELLAYAMBALAM,  
THIRUVANANTHAPURAM - 695 010.
- 3 THE SPECIAL THAHSILDAR  
LA, AIRPORT NO.1, MATTANNUR,  
KANNUR DISTRICT - 670 702.
- 4 OTTAYIL KARA ILLATH SATHYANARAYANAN NAMBU DIRI  
OTTAYIL KARA ILLAM, ELAMPARA P.O., KANNUR  
DISTRICT - 670 595.

L.A.A.No.227 of 2019  
and connected cases

R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER  
R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH LA.App..239/2019  
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:



L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 233 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 31.07.2014 IN

L.A.R.NO.114 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANT/CLAIMANT:

VATTAKUNDUMKARA NARAYANI

AGED 80 YEARS, D/O. LATE MADHAVI,

POURNAMI NIVAS, KEEZHALLUR P.O., KANNUR

(DISTRICT) - 670 612.

BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENTS & 2ND CLAIMANT:

- 1 GOVT. OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR - 670 002.
- 2 THE MANAGING DIRECTOR,  
KINFRA ANNEX, ELANKON GARDENS, VELLAYAMBALAM,  
THIRUVANANTHAPURAM - 695 010.
- 3 THE SPECIAL THAHSILDAR,  
LA, AIRPORT NO.1, MATTANNUR,  
KANNUR DISTRICT - 670 702.

L.A.A.No.227 of 2019  
and connected cases

4 OTTAYIL KARA ILLATH  
SATHYANARAYANAM NAMBU DIRI, (DELETED FROM THE  
PARTY ARRAY)\* OTTAYIL KARA ILLAM, ELAMPARA  
P.O., KANNUR DISTRICT - 670 595.  
  
\*R4 IS DELETED FROM THE PARTY ARRAY AT THE RISK  
OF THE APPELLANT VIDE ORDER DATED 10.02.2020 IN  
I.A. NO. 2/2019)  
  
R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER  
R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH LA.App..239/2019  
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 239 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 31.07.2014 IN  
L.A.R.NO.119 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANT/CLAIMANT:

VATTAKUNDUMKARA LALITHA

AGED 62 YEARS, D/O.LATE MADHAVI,AGED 62 YEARS,  
POURNAMI NIVAS,KEEZHALLUR P.O., KANNUR  
(DISTRICT) - 670 612.

BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENTS & 2ND CLAIMANT:

- 1 GOVT. OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR-670 002.
- 2 THE MANAGING DIRECTOR,  
KINFRA ANNEX,ELANKON GARDENS, VELLAYAMBALAM,  
THIRUVANANTHAPURAM-695 010.
- 3 THE SPECIAL TAHSILDAR,  
LA,AIRPORT NO.1,MATTANNUR,  
KANNUR DISTRICT-670 702.
- 4 OTTAYIKKARA ILLATH SATHYNARAYANAN NAMBU DIRI\*  
OTTAYIKKARA ILLAM,ELAMPARA P.O.,  
KANNUR DISTRICT-670 595.

L.A.A.No.227 of 2019  
and connected cases

\*R4 IS DELETED FROM THE PARTY ARRAY AT THE RISK  
OF THE APPELLANT VIDE ORDER DATED 10.02.2020 IN  
IA 2 OF 2019.

R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER

R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH LA.App..231/2020  
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 257 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 26.02.2016 IN  
L.A.R.NO.58 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANTS/CLAIMANTS 1, 3, 4, 13, 14 & 15:

- 1 K.M.KAMALAKSHI AMMA  
AGED 72 YEARS,W/O.NANU NAMBIAR, LEENA NIVAS,  
ELAMPARA.P.O. KEEZHALLUR VILLAGE, KANNUR  
DISTRICT, (OWNER OR OCCUPIER) PIN-670595.
- 2 K.M.PREETHA,  
AGED 52 YEARS,D/O.NANU NAMBIAR, LEENA NIVAS,  
ELAMPARA.P.O. KEEZHALLUR VILLAGE, KANNUR  
DISTRICT, (OWNER OF OCCUPIER) PIN-670595.
- 3 K.M.LEENA  
AGED 49 YEARS,D/O.NANU NAMBIAR, LEENA NIVAS,  
ELAMPARA.P.O, KEEZHALLUR VILLAGE, KANNUR  
DISTRICT, (OWNER OF OCCUPIER) PIN-670595.
- 4 K.REENA  
AGED 49 YEARS,W/O.LATE K.M.BABU, JAYA BHAVAN,  
KEEZHUR AMSOM, PUNNAD DESOM, PUNNAD.P.O.  
THALASSERY TALUK, KANNUR DISTRICT, PIN-670703.
- 5 K.ANJANA,  
AGED 19YEARS,D/O.K.M.BABU(LATE) JAYA BHAVAN,  
KEEZHUR AMSOM, PUNNAD DESOM, PUNNAD.P.O.  
THALASSERY TALUK, KANNUR DISTRICT, PIN-670703.

L.A.A.No.227 of 2019  
and connected cases

6       NIRANJAN BABU  
AGED 13 YEARS,S/O.K.M.BABU(LATE) , JAYA BHAVAN,  
KEEZHUR AMSOM, PUNNAD DESOM, PUNNAD .P.O.  
THALASSERY TALUK, KANNUR DISTRICT, PIN-670703  
(MINOR REPRESENTED BY GUARDIAN AND MOTHER  
K.REENA)  
  
BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENTS 1 TO 3 AND CLAIMANTS 5&6 AND 8 TO  
12:

- 1       GOVERNMENT OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR, KANNUR-  
670002.
- 2       THE MANAGING DIRECTOR,  
KINFRA, VELLAYAMBALAM, THIRUVANANTHAPURAM-  
695001.
- 3       THE SPECIAL THAHSILDAR,  
LA, AIRPORT NO.1, MATTANNUR,  
KANNUR DISTRICT-670702.
- 4\*      R.K.DEVI AMMA  
D/O.MADHAVIAMMA, PUTHIYAVEEDU, ULIYIL.P.O.  
KANNUR DISTRICT-670702.
- 5\*      R.K.NARAYANI AMMA  
D/O.MADHAVI AMMA, PUTHIYA VEEDU, ULIYIL.P.O.  
KANNUR DISTRI-670702.
- 6\*      M.P.VALLY,  
D/O.R.K.KUNHIKANNAN, KATALA PUTHIYA VEEDU,  
KODALI AMSOM, DESOM, KODALI.P.O. , KANNUR  
DISTRICT-670592.

L.A.A.No.227 of 2019  
and connected cases

- 7\* M.P.RAMAVATHI,  
D/O.R.K.KUNHIKANNAN, PULIYULLA PARAMBIL,  
THILANKERI AMSOM, DESOM, THILLANKERI.P.O.  
KANNUR DISTRICT-670702.
- 8\* M.P.SASIDHARAN,  
S/O.R.K.KUNHIKANNAN, MEENHTEERI HOUSE,  
CHAVASSERI AMSOM, ULIYIL DESOM, ULIYIL.P.O.  
KANNUR DISTRICT-670702.
- 9\* M.P.SATHYAPALAN,  
S/O.R.K. KUNHIKANNAN, MEENHTEERI HOUSE,  
CHAVASSERI AMSOM, ULIYIL DESOM, ULIYIL.P.O.,  
KANNUR DISTRICT-670702.
- 10\* RAYAROTH KOTTARON NARAYANI AMMA  
KALATHIL VEEDU, ULIYIL .P.O., KANNUR DISTRICT,  
PIN-670702.

\*THE NAME OF RESPONDENTS 4 TO 10 ARE DELETED  
FROM THE PARTY ARRAY AT THE RISK OF THE  
APPELLANTS VIDE ORDER DATED 29.10.2019 IN IA  
NO.3 OF 2019.

R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER

R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH LA.App.239/2019  
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 258 OF 2019

AGAINST THE DECREE AND JUDGMENT DATED 26.02.2016 IN  
L.A.R.NO.53 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANTS/CLAIMANTS 1,3,4,15, 16 & 17:

- 1 K M KAMALAKSHMI AMMA  
AGED 72 YEARS, W/O. NANU NAMBIAR, LEENA NIVAS,  
ELAMPARA P.O., KEEZHALLUR VILLAGE, KANNUR  
DISTRICT, (OWNER OF OCCUPIER), PIN-670 595.
- 2 K.M.PREETHA,  
AGED 52 YEARS, D/O. NANU NAMBIAR, LEENA NIVAS,  
ELAMPARA P.O., KEEZHALLUR VILLAGE, KANNUR  
DISTRICT, (OWNER OF OCCUPIER), PIN-670 595.
- 3 K.M.LEENA  
AGED 49 YEARS, D/O. NANU NAMBIAR, LEENA NIVAS,  
ELAMPARA P.O., KEEZHALLUR VILLAGE, KANNUR  
DISTRICT, (OWNER OF OCCUPIER), PIN-670 595.
- 4 K.REENA  
AGED 49 YEARS, W/O. LATE K.M.BABU, JAYA BHAVAN,  
KEEZHUR AMSOM, PUNNAD DESOM, PUNNAD P.O.,  
THALASSERY TALUK, KANNUR DISTRICT, PIN-670 703.
- 5 K.ANJANA,  
AGED 19 YEARS, D/O. LATE K.M.BABU (LATE), JAYA  
BHAVAN, KEEZHUR AMSOM, PUNNAD DESOM, PUNNAD  
P.O., THALASSERY TALUK, KANNUR DISTRICT,  
PIN-670 703.



L.A.A.No.227 of 2019  
and connected cases

6 NIRANJAN BABU,  
AGED 13 YEARS,S/O. LATE K.M.BABU (LATE) , JAYA  
BHAVAN, KEEZHUR AMSOM, PUNNAD DESOM, PUNNAD  
P.O., THALASSERY TALUK, KANNUR DISTRICT, PIN-  
670 703 (MINOR REPRESENTED BY GUARDIAN AND  
MOTHER K.REENA)

2ND PETITIONER K.M.BABU AND 7TH PETITIONER  
M.P.KALYANI AMMA DIED IN THE LAR 53/11.

BY ADV CIBI THOMAS

RESPONDENTS/RESPONDENTS 1 TO 3 AND CLAIMANTS 5 & 6 AND 8  
TO 14:

- 1 GOVERNMENT OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR-670 002.
- 2 THE MANAGING DIRECTOR,  
KINFRA, VELLAYAMBALAM,  
THIRUVANATHAPURAM-695 001.
- 3 THE SPECIAL THAHSILDAR,  
LA, AIRPORT NO.1,MATTANNUR, KANNUR DISTRICT  
-670 702.
- 4\* R.K.DEVI AMMA,  
D/O. MADHAVIAMMA, PUTHIYAEEDU, ULIYIL P.O.,  
KANNUR DISTRICT-670 702.
- 5\* R.K.NARAYANI AMMA,  
D/O. MADHAVIAMMA, PUTHIYAEEDU, ULIYIL P.O.,  
KANNUR DISTRICT-670 702.
- 6\* M.P.VALLY,  
D/O. R.K.KUNHIKANNAN, KATALA PUTHIYA VEEDU,  
KODALI AMSOM, DESOM, KODALI P.O, KANNUR  
DISTRICT-670 592.

L.A.A.No.227 of 2019  
and connected cases

- 7\* M.P.RAMAVATHI  
D/O. R.K.KUNHIKANNAN, PULIYULLA PARAMBIL,  
THILLANKERI AMSOM, DESOM, THILLANCKERI P.O.,  
KANNUR DISTRICT-670 702.
- 8\* M.P.SASIDHARAN,  
S/O. R.K.KUNHIKANNAN, MEENHTEERI HOUSE,  
CHAVASSERI AMSOM, ULIYIL DESOM, ULIYIL P.O.,  
KANNUR DISTRICT-670 702.
- 9\* M.P.SATHYPALAN,  
S/O. R.K.KUNHIKANNAN, MEENHTEERI HOUSE,  
CHAVASSERI AMSOM, ULIYIL DESOM, ULIYIL P.O.,  
KANNUR DISTRICT-670 702.
- 10\* P.N.YOOSAF,  
S/O. MAYAN, UMMAYYAS HOUSE, NEAR MET SCHOOL,  
AMBILADU, NIRMALAGIRI P.O., KANNUR -670 701.
- 11\* HASHIM P.N.,  
S/O. MAYAN, RAMSHAD VILLAGE, VOLORA, ULIYIL  
P.O., CHAVASSERY VILLAGE, KANNUR -670 702.
- 12\* RAYAROTH KOTTARON NARAYANI AMMA,  
KALATHIL NARAYANI AMMA, KALATHIL VEEDU, ULIYIL  
P.O., KANNUR DISTRICT, PIN-670 702.
- \*RESPONDENTS 4 TO 12 ARE DELETED FROM THE PARTY  
ARRAY AT THE RISK OF THE APPELLANTS VIDE ORDER  
DATED 30.10.2019 IN IA 3 OF 2019.
- R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
PLEADER
- R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
FINAL HEARING ON 31.07.2023, ALONG WITH LA.App.239/2019  
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

L.A.A.No.227 of 2019  
and connected cases

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

MONDAY, THE 31<sup>ST</sup> DAY OF JULY 2023 / 9TH SRAVANA, 1945

LA.APP. NO. 231 OF 2020

AGAINST THE DECREE AND JUDGMENT DATED 08.10.2014 IN

L.A.R.NO.25 OF 2011 OF THE SUB COURT, THALASSERY

APPELLANT/CLAIMANT:

C.M.MUHAMMED

AGED 54 YEARS

S/O ASU, CHALAPPARAMBATH HOUSE, KANAD,

EDAYANNUR P.O.KEEZHALLUR VILLAGE,

KANNUR-670 595.

BY ADV CIBI THOMAS

RESPONDENTS:

- 1 GOVT.OF KERALA  
REPRESENTED BY THE DISTRICT COLLECTOR,  
KANNUR-670 002.
- 2 THE MANAGING DIRECTOR, KINFRA,  
VELLAYAMBALAM, THIRUVANANTHAPURAM-695 010.
- 3 THE SPECIAL THAHSILDAR,  
LA AIRPORT NO1, MATTANNUR,  
KANNUR DISTRICT-670 702.

L.A.A.No.227 of 2019  
and connected cases

4        SECRETARY,  
          THERUR DEVASWOM, EDAYANNOOR P.O.KEEZHALLUR  
          VILLAGE, KANNUR-670 595.

          R1 & R3 BY SRI T.K.SHAJAHAN - SR GOVERNMENT  
          PLEADER

          R2 BY ADV SRI.P.U.SHAILAJAN, SC, KINFRA

          THIS LAND ACQUISITION APPEAL HAVING COME UP FOR  
ADMISSION ON 31.07.2023, ALONG WITH LA.App..239/2019 AND  
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**JUDGMENT**

P.G. Ajithkumar, J.

These appeals under Section 54 of the Land Acquisition Act, 1894 are relating to acquisition of various parcels of land for the construction of Kannur Airport. Since these appeals involved common questions, all are disposed of by this common judgment. Claimants are the appellants. In respect of the acquired land of the respective appellants, reference was made by the Land Acquisition Officer on the respective appellants raising protest under Section 18(1) of the Land Acquisition Act.

2. The Sub Court, Thalassery answered the reference as per common judgments dated 31.07.2014, 08.10.2014 and 26.02.2016. All the appellants claim enhancement of the compensation by contending that similar and similarly situated properties which were acquired under the same notification were granted more compensation by fixing the land value at a higher rate.

3. There was delay in filing these appeals. The delay was condoned on the condition that if any enhancement in compensation is allowed, such enhanced amount will not carry any interest during the respective period of delay. All these appeals were admitted. In L.A.A.No.231 of 2020, balance court fees is not yet paid by the appellant therein.

4. Heard the learned counsel appearing for the appellants, the learned Special Government Pleader and the learned Standing Counsel appearing for the KINFRA, the acquisition authority.

5. Relevant details of the respective appeals are tabulated below:

L.A.A.No.	L.A.R.No.	Area of land acquired	Compensation awarded by LA Officer (per cent)	Compensation refixed by Reference Court (per cent)	Delay in filing the appeals (Delay was condoned on condition of waiver of interest during the period of delay)
227/2019	113/2011	3.43 Ares	Rs.9,104/-	Rs.16,823/-	1721 days
229/2019	100/2011	3.42 Ares	Rs.9,104/-	Rs.16,823/-	1721 days
231/2019	70/2011	3.43 Ares	Rs.9,104/-	Rs.16,823/-	1721 days

232/2019	115/2011	3.43 Ares	Rs.9,104/-	Rs.16,823/-	1721 days
233/2019	114/2011	3.43 Ares	Rs.9,104/-	Rs.16,823/-	1721 days
239/2019	119/2011	3.43 Ares	Rs.9,104/-	Rs.16,823/-	1721 days
257/2019	58/2011	22.26 Ares	Rs.8,092/-	Rs.16,000/-	1083 days
258/2019	53/2011	22.26 Ares	Rs.8,092/-	Rs.16,000/-	1083 days
231/2020	25/2011	2.85 Ares	Rs.10,112/- -	Rs.18,692/-	2125 days

6. L.A.A.No.11 of 2013 along with a batch of land acquisition appeals were disposed of by this Court by a common judgment dated 22.01.2018. All the properties involved in the said cases were acquired for the purpose of establishment of Kannur Airport and under the same notification, which was dated 05.12.2007. This Court after considering the rival contentions fixed land value of the lands, which does not have road access at Rs.20,270/- and the lands having road access at Rs.25,963/-.

7. The reference court held that the land of the appellants in the respective appeals has road access. Having heard the learned counsel for the appellants, the learned Standing Counsel for the 2<sup>nd</sup> respondent and also

the learned Senior Government Pleader, we are of the view that the market value for the lands having road access fixed in the said judgment as Rs.25,963/-, can be accepted as the market value of the property of the appellants and they can also be given the same market value.

8. In the said circumstances, we are of the view that these appeals are liable to be allowed by fixing the land value at Rs.25,963/- per cent. The appeals are therefore allowed. The value of the acquired land belonging to the respective appellants is fixed at Rs.25,963/- per cent. The appellants are entitled to get all the statutory benefits on the basis of the refixed land value. The appellants are not entitled to get the interest for the period of delay in filing the respective appeals, which is mentioned in paragraph No.5 above.

9. In L.A.A.No.231 of 2020, the appellant shall pay the balance court fees within 15 days. Only after the



appellant remits the balance court fees, the decree in the appeal will be drawn up.

All pending interlocutory applications in the appeals are closed.

**Sd/-**  
**ANIL K. NARENDRAN, JUDGE**

**Sd/-**  
**P.G. AJITHKUMAR, JUDGE**

dkr