

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE-II, THALASSERY

Present: Smt. Titty George, Additional District Judge-II, Thalassery

Monday, the 30<sup>th</sup> day of March, 2026, 09<sup>th</sup> Chaitra, 1948 .

**LAR (NHA) No.25/2024**

(LAC 7787 (XI) dated. 26-03-2021)

Special Tahsildar, Land Acquisition, LA NH 2, ] Competent Authority/  
Kannur. ] Petitioner

Vs.

- 1 C.K.Devi, W/o,Narayanan Nair, ]  
Kulangarath Pournami (H), Chirakkal.P.O, ]  
PIN- 670 011. ]
- 2 C.K.Jayasheela, D/o.Narayanan Nair, Anjali (H), ]  
Rudram road, Pallikkunnu.P.O, Kannur- 670 004. ]
- 3 Geetharani Ramdas Nair, W/o.Ramdas Nair, ]  
Shanti Niketan Apartment Owners Association, ]  
Near St. Augustine School, Sector 9, Nerul, ]  
Navi Mumbai, Thane, Maharashtra, PIN- 400706. ]
- 4 Minimohan, D/o.Narayanan Nair, "Keyar(H), ] Respondents/  
Edat P.O, Payyannur, Kunhimangalam PIN-670327. ] Claimants
- 5 Sunil Kumar.C.K, S/o.Narayanan Nair, ]  
"Kulangareth Pournami (H), Onaparamba Road, ]  
Chirakkal P.O, PIN- 670011. ]
- Suppl:-** ]
- 6 Chirakkal Kovilakam Devasawam Chirakkal ]  
Kannur, Rep.by Executive Officer, K.Venu, ]  
Aged 56 years, residing at 'Sreekrishna', ]  
Meethalevayalil, Naduvathoor.P.O, Quilandy. ]  
(Supplemental R6 impleaded as per order in ]  
IA 01 /2025 dated 09-06-2025) ]

This petition coming on the 12<sup>th</sup> day of March, 2026 for final hearing before me in the presence of the Additional Government Pleader for the Petitioner/Competent Authority; and of Smt.Shija.K.M, Advocate for the respondent Nos. 1 to 5/claimant Nos.1 to 5; S/Sri.Jayakrishnan.V and

Pradeep Kumar.V Advocates for the 6<sup>th</sup> respondent/6th claimant; and having stood over to this day for consideration; the court passed the following:-

**AWARD**

This is the reference from Special Deputy Collector & Competent Authority, LA (NHAI), Kannur at Taliparamba under Section 3H (4) of the National Highways Act 1956.

2. An extent of 0.0695 H of land in Resurvey No.136/1 (New 136/5) of Puzhathi desom in Chirakkal Village, Kannur Taluk was acquired by Government for the development of National Highway No.66 from the possession of the legal heirs of Kulangarath Narayanan Nair, ie., the respondents herein. Compensation for the entire extent of land as per the Award of even number dated 26.03.2021 in LAC 7787 (XI) is **₹21,74,744/- (Rupees Twenty one lakh seventy four thousand seven hundred and forty four only)**. The competent authority determined the amount of compensation. The land owners have not produced all documents proving the title of the property under acquisition, the payment of compensation amount is deferred until the absolute title over the property is proved by the land owner. Hence, the reference.

3. The respondents No.1 to 5 filed claim statement stating that Kulangareth Narayanan Nair, husband of the first respondent and father of respondents 2 to 5, obtained properties including the acquired 0.0695 hectare of land as per the Gift deed number 2517/1978 of SRO Valapattanam. Narayanan Nair died on 25.02.2002. After his death, as the legal heirs, his wife and children got the above property and they are entitled to receive the amount deposited by the petitioner in the above case. Hence, the respondents No.1 to 5 are the only persons entitled to get the award amount.

4. The 6th respondent represented by its Executive Officer got impleaded as per order in IA 1/2025 and filed a claim statement as follows:- The 6th respondent is the Executive officer of Chirakkal Kovilakam Devaswom and authorised and empowered to represent the temple scheduled vide order dt 29.05.1972 in OA 8/71 of Deputy Commissioner for HR and CE (Administration) Department, Calicut. There are 38 temples included in the schedule appended with the said order and Kalarivathukkal Devaswom is 19 in the schedule attached to the scheme. The

acquired property exclusively belong to Kalarivathukkal Devaswom of Chirakkal Kovilakam Devaswom under Malabar Devaswom Board. The 1st respondent has no right over the property. The Land Acquisition Authorities concerned with oblique motive and in collusion with certain persons who project a claim over the acquired land in the strength of void and invalid documents wilfully abstained from making the Kalarivathukkal Devaswom the true owner of the acquired land. Adangal extract of land RS 136/1 of Chirakkal amson Puzhathi desom, Kannur shows that the supplemental 2nd respondent has the jenmam right over the property. Adangal extract is supported by the title deeds produced by other respondents that will admit that Kalarivathukkal Devaswom was the ancient original Jenmi of the acquired land. All the registered documents produced by other respondents are void as they came into existence violating the legal provisions. As per Section 3(1)(x) of Kerala Land Reforms Act 1963 no lease could be created with respect to a religious/temple property. Moreover as per Section 29 of HR&CE Act any exchange, sale of mortgage and any lease of any immovable property belonging to, or given or endowed for the purpose of any religious institution shall be null and void unless it is sanctioned by the commissioner as being necessary or beneficial to the institution. There is no sanction in the above matter. The petitioner has not sent any notice in the above matter. This was done to defeat the lawful right of the Kalarivathukkal Devaswom and thereby producing the unlawful gain to the said interested persons. Other respondents have no legal right whatsoever over the acquired land and they are made parties to the reference. The 2nd respondent is the only person entitled to the award amount deposited in court. Hence the award amount deposited in the reference may be released to the supplemental 6th respondent.

5. The petitioner/ Referring authority filed a statement stating that an extent of 0.0695 hectare of land in RS 136/1 (new Survey No.136/5) of Chirakkal Amsom Puzhathi Desom of Kannur Taluk was acquired for the development of National Highway 66. The individual demarcation could not be carried out since it is water logged and there is no physical boundaries for individual properties and disputes are also prevailing among land owners. The individual sketch and mahazar

could not be prepared. Hence the sketch and mahazar were prepared on survey subdivision basis. Subsequently mahazar and sketch were prepared in the name of Thaikkandy Safeena, Sajina, Chinnan, Vijayaraghavan & others. An amount of Rs.21,74,744/- was awarded and the payment of compensation was deferred by the reason that the survey and demarcation of the land couldn't be carried out because of water logging in the locality. The owners have not produced all documents proving the title of the property under acquisition. In the above circumstances, the matter is referred to the Principal Civil Court, Thalassery for adjudication for invoking Section 3H (4) of NH Act 1956. On the basis of the above reference, an OP LA(NH)362/2021 case is filed before the Additional District Court, (ADC-IV), Thalassery. As per the order in IA 03/2022 in OP (LA)NH 362/2021, an Advocate Commission was appointed by the court and the Commissioner inspected the site and prepared the individual sketches with the assistance of Taluk Surveyor, Kannur after verifying the documents of each land owners. Then after, this office has prepared individual award amount of each cases with individual sketch and had E-filed before the Hon'ble Dist. Court, Thalassery. After that the Hon'ble court has registered this case as ref.No.LAR(NH) 25/2024 (LAC 7787(XI). In the above circumstances RS No.136/1 (New RS No.136/5) of Chirakkal Amsom Puzhathi Desom for an extent of 0.0695 hectareS of joint property owned by Sri.Kulangareth Narayanan nair (late) as per Document No.2517/1978 and their total amount of Rs.21,74,744/- for an extent of 0.0695 H awarded as the compensation amount, may be disbursed to the legal heirs of Sri. Kulangareth Narayanan Nair.

6. Exts.A1 to A15 were marked on the side of the respondents 1 to 5. Ext.A16 was marked on the side of supplemental 6th respondent.

7. Heard both sides.

8. Following points arise for determination:

- i) *Who is entitled to get the compensation amount deposited before the court, the respondents 1 to 5 or the supplemental 6th respondent?*
- ii) *Relief and costs.*

9. **Point No.(i):-** As per the reference, an extent of 0.0695 H of land in Resurvey 136/1 (New 136/5) of Chirakkal Village of Kannur Taluk was acquired by Government for the development of National Highway No.66 from the possession of respondents 1 to 5, the legal heirs of Kulangareth Narayanan Nair. The respondents 1 to 5 claim that they are the absolute owners of the acquired property. Ext.A1 is the death certificate of K. Narayanan Nair which shows that he died on 25.02.2002 and Ext.A2 legal heirship certificate proves that his wife and children; C.K. Devi (R1), C.K. Jayasheela (R2), C.K. Geetha Rani (R3), C.K. Mini (R4) and C.K. Sunil Kumar (R5) are his legal heirs. Ext.A3 is the copy of Partition Deed No.2517/1978 of SRO, Valapattanam executed by Kolangareth Cheriya Narayani Amma, Parvathi Amma, Janaki Amma, Narayanan, Chinnan & Vijayaraghavan wherein 11th item, an extent of 12.55 Ares in RS 136(old Sy. 94) was allotted to 4th executant Narayanan. Ext.A4 is the certified copy of deed No.318/1950 of SRO, Valapattanam executed by Kambrath Govindan Manyani in favour of Kulangareth Narayani and others releasing his half right in respect of properties including property in RS 136. Ext.A5 is the certified copy of Deed No.1619/1940 of SRO, Valapattanam executed by Elambilan Nallakkandi Govindan Nair assigning kozhukanam right in favour of Govindan Maniyani and Chindan Maniyani in respect of property in RS 136. From recitals in Ext.A5 it can be seen that the Govindan Maniyani and Chindan Maniyani (husband of Kulangareth Narayani) had kozhukanam right over the properties of Chirakkal Kovilakam stated in the deed by virtue of deed No. 1619/1940. Ext.A6 is the certified copy of Marupattam Deed No.1050/1940 of SRO, Valapattanam executed by Elambilan Nallakkandi Govindan in favour of Ramavarma Valiya Thampuran of Chirakkal Kovilakam in respect of properties including RS 136 (old Survey 94/1). Ext.A7 is the certified copy of Partition Deed No.236/1936 of SRO, Valapattanam executed by Palakkeel Mavila Valappil Raman Nambiar, Elambilan Nallakkandi Govindan, Puthiya Veettil Anandan, Puthiya Veettil Chindan, Kollarethayikkal Bachi, Kunnankai Puthiyapurayil Ali, Punnakkal Mammad, Kunhabdulla, Avvokkar and Udumankutty wherein B schedule including property in RS 136 was allotted to Nallakandy Govindan. Ext.A8 is the certified copy of Deed No.128/1923 of SRO,

Valapattanam executed by Rama Varma Valiya Raja in favour of Mavila Valappil Raman, Elambilan Nallakkandi Govindan and others . As per the recitals in Ext.A8 certified copy of deed No. 128/1923 of SRO Valapattanam, the property in Survey 94/1 in Chirakkal Amsom Puzhathi desom was outstanding with Chovakkaran Vengalath Tharavadu as tenants and as per the judgment in OS No:120/1917 on the file of Sub Court Thalassery, the tenancy was terminated and Chirakkal Kovilakam was directed to pay certain amount towards the value of improvements to the tenant Chovakkaran Vengalath Tharavad and in order to mobilise funds to pay the amount as per the decree, Chirakkal Kovilakam, through the erstwhile senior most member, Sri. Rama Varma Valiya Raja had created a fresh tenancy in favour of Raman and 4 others. So it is evident that even prior to 1923, the property referred therein was in possession of tenants on basis of registered deeds.

10. Exts.A9 and A11, tax receipt and possession certificate, issued by Chirakkal Village show that respondents 1 to 5 have possession over 0.1255 H in RS 136/203. From Ext.A10 Thandaper account extract in the names of respondents 1 to 5 it can be seen that 0.1255 H of property in RS 136/203 was last transacted from RS 136/1. Ext.A12 is the possession and non-attachment certificate issued by Chirakkal Village shows that the respondents 1 to 5 have possession over 0.1255 H in RS 136/203. From Ext.A13 encumbrance certificate for 12.55 Ares of land in RS No.136/188 for the period from 01.09.2005 to 24.09.2025 it can be seen that there is no liability over the said property. Ext.A14 is the purchase certificate bearing No.20666/1976 of Land Tribunal, Kannur issued in the names of Kulangareth Narayani, Parvathi Amma, Ammalu Amma, deceased Nani's legal heirs; Chinnan and Vijayaraghavan, Janaki, Narayanan in respect of 77.70 Ares in RS 136. As per Ext.A15 certificate issued by Village Officer, Chirakkal, even though the Resurvey No.136 was shown in deed No. 2517/1978 in respect of 12.55 Ares, on site verification the correct Resurvey No. is found to be 136/1.

11. Ext.A16 is the Adangal extract marked on the side of 6th respondent to prove their claim. In Ext.A16, the owner of 5.7742 Acres of wet land in RS 136/1(old Sy. 94/1, 96) 'Cheriyar Kaipadu Nilam Kaliyar Nilam' is shown as Kalarivathukkal

Dewasom Uralan Chirakkal Kovilakathu Valiya Rajavu. It is an admitted fact that the property originally belonged to Chirakkal Kovilakam and in Jenm to Kalarivathukkal Devaswom. Admittedly, the acquired property in the reference is in the possession of the 6th respondent. The description of the property is one and the same in all documents including Ext.A16- 'Cheriyā Kaipadu Nilam'.

12. According to counsel for respondents 1 to 5, the disputed property along with other properties were outstanding with various tenants from 1917 onwards that by change of hands it is now in the possession and ownership of the respondents 1 to 5 and supplemental 6th respondent Devaswom never had any possession or right over the same for more than 100 years. On the other hand, counsel for the 6th respondent argued that as per Ext.A16, adangal extract, the ownership remained with the 6th respondent and any deed executed in respect of the Dewasom property without sanction of the Commissioner as prescribed in S.29 of the Madras Hindu Act Religious and Charitable Endowments Act,1951 is void ab initio. It is further submitted that the earlier Act, Madras Hindu Religious Endowments Act, 1927, which was in force prior to the enactment of 1951 Act, also prohibited alienation of the Dewasom property without obtaining sanction from Commissioner. Counsel for the 6th respondent relied on the decision of the Hon'ble High Court in **Payyannur Co-op. Educational Society v. Narayanan (2000 (3) KLT 129)** wherein it was held that any alienation of property belonging to religious institutions, without sanction from the Commissioner as being necessary or beneficial to the estate, will be null and void. Reliance was placed on decision in **2014 (1) KLT SN 26 (C.No34) Janaki Amma v. Sree Amruthamangalam Kshethram Moorthi** wherein it was held that lease of temple property for want of sanction u/s.29 would make it null and void and even a plea of deemed tenancy cannot be entertained.

13. The relevant provisions are as follows:

**S.76(1) of the Madras Hindu Religious Endowments Act 1927** reads as follows: "No exchange, sale or mortgage and no lease for a term exceeding five years of any immovable property belonging to any mutt or temple shall be valid or operative unless it is necessary or beneficial to the mutt or temple and

is sanctioned by the Board in the case of mutts and excepted temples and by the committee in the case of other temples.

**S.29(1) of Madras Hindu Religious and Charitable Endowments Act, 1951** reads as follows: "Any exchange, sale or mortgage and any lease of any immovable property belonging to, or given or endowed for the purpose of, any religious institution shall be null and void unless it is sanctioned by the Commissioner as being necessary or beneficial to the institution:"

14. According to counsel for respondents 1 to 5, both the above Acts have no application since the property has been in possession of tenants by virtue of registered documents prior to the 1927 enactment. The Madras Hindu Religious Endowments Act 1927 was repealed by S.5 of Madras Hindu Religious And Charitable Endowments Act, 1951. Though, the Madras Hindu Religious And Charitable Endowments Act, 1951 (Madras Act No: XIX of 1951) Central Act received the assent of the President on 27.08.1951, it was notified in Kerala in 1956 only by virtue of Kerala Adaptation of Laws Order, 1956. Hence the Act was made applicable in Kerala only in 1956 and till then the previous Act governed the field. It is further pointed out that the provision under the earlier enactment is also not applicable to the case on hand since this provision has no retrospective effect to take away the rights of tenants who were in possession much prior to the coming into force of the Act.

15. Relying on decisions in **State of Kerala and Another v. Mohammed Basheer ( 2019 (1) KHC 750)** and **Jithesh v. State of Kerala and Others (2013 KHC 674)** counsel for the respondents 1 to 5 submitted that on application by Kulangareth Janaki and others before the Land Tribunal, Ext.A14 purchase was issued and as per S.72K (2) of the Land Reforms Act, once Ext. A14 purchase certificate was issued in favour of Janaki and others, it is conclusive proof of right, title and interest over the property stated therein and therefore the supplemental 6th respondent cannot claim any right over the acquired property. Hence, counsel for respondents 1 to 5 prayed to allow their claim and to order disbursement of the deposited amount in their favour.

16. Counsel for supplemental 6th respondent countered the argument contenting that Ext.A14 purchase certificate cannot be considered as conclusive in this case as the the respondents1 to 5 have not produced the order dated 23.09.1976 of the Kannur Land Tribunal in SM 14207/76 and hence it cannot be presumed that the Land Tribunal had complied with all procedural formalities and notice was issued to the landlords and statements were sought from them. Counsel for the 6th respondent also argued that Ext.A14 purchase certificate is not binding on the 6th respondent as the properties of the Dewasom is exempted from provisions regarding tenancies as per S.3(1) (x) of the Kerala Land Reforms Act. Counsel for 6th respondent relying on **decision of Hon'ble High Court in WP (C No.16689 of 2013 (I) dated 16.10.2014 (Prasanna Kumar v. State of Kerala)** argued that as Land Tribunal failed to conduct due enquiries and to afford reasonable opportunity of hearing to all parties, Ext.A14 purchase certificate cannot be considered as a valid one binding on the 6th respondent Dewasom. Reliance was also placed on decision of Hon'ble High Court in **Travancore Devaswom Board v. Mohanan Nair (2013 (3) KLT 132)** in support of the arguments.

17. It is also argued that the Land Tribunal failed to comply rules 9 and 10 of Kerala Land Reforms (Vesting and Assignment) Rules, 1970 and the Land Tribunal did not independently examine whether the land is one coming under the exempted category u/s.3(1)(x) of Land Reforms Act and no information was sought on that regard also. According to counsel for 6th respondent non production of the order of Land Tribunal in OA 14207/76 would invalidate the claim of the respondents 1 to 5 on basis of A14 purchase certificate and the Land Tribunal will get jurisdiction only when the said issue was resolved and therefore Ext.A14 purchase certificate cannot be considered as a valid one.

18. Counsel for respondents 1 to 5 countered these arguments contenting that as per the proviso to exemption under s. 3(1) (x) of Kerala Land Reforms Act, exemption claimed by the supplemental 6th respondent is not applicable to the rights of tenants to which they are entitled immediately before the commencement of the Act, either under the contract of tenancy or under any law in force. Reliance was

placed on decision of Hon'ble High Court in **Gopalan Nair v. State of Kerala (1988 KHC 259)** in support of the argument.

19. So now the question to be considered is whether the argument of the counsel for supplemental 6th respondent that the properties of the supplemental 6th respondent are entitled for exemption as provided under s.3(1) (x) of the Kerala Land Reforms Act is sustainable.

In Chapter II, S.3(1)(x) of the Kerala Land Reforms Act, 1963 is as follows:

**S.3 . Exemptions:-** (1) *Nothing in this chapter shall apply to:-*

(x) *tenancies in respect of sites, tanks and premises of any temple, mosque or church (including sites belonging to a temple, mosque or church on which religious ceremonies are conducted) and sites of office buildings and other buildings attached to such temple, mosque or church, created by the owner, trustee or manager of such temple, mosque or church.*

*Provided that nothing in this clause shall affect the right to which a tenant was entitled immediately before the commencement of this Act under the contract of tenancy or under any law then in force.*

20. A plain reading of S.3(1) (x) of Land Reforms Act shows that temple sites, its premises, and sites belonging to temple where religious ceremonies are conducted are exempted from the purview of the Act. From the available evidence before the court it can be seen that the acquired property was originally a nilam which was leased out to tenants for cultivation. The 6th respondent has no case that the acquired property was a temple site or temple premises or religious ceremonies were conducted there at any point of time. Argument of counsel for 6th respondent that the Land Tribunal has not considered this aspect before allowing the purchase certificate cannot be entertained now, as the 6th respondent has not raised such a contention at any point of time and had not so far challenged Ext.A14 purchase certificate issued in favour of Narayan and others. In such a circumstance, the acquired land cannot be considered as a temple site or its premises and therefore, exemption claimed under section 3(1)(x) is not applicable to the acquired property.

21. The cited decision **Travancore Devaswom Board v. Mohanan Nair** relied by 6th respondent is not at all applicable to the case on hand as Hon'ble High Court was dealing only with exemptions u/s.3(1) of KLR Act and in that case tenancy itself was disputed by the Board and tenancy was created after the commencement of the Act. So also, the proviso to Sec.3(1)(x) was not at all considered by the Court in that case.

22. The available evidence prove that the property in the reference was in possession of tenants prior to 1927 and the property remained in possession of tenants continuously up to the time of issuance of Ext.A14 purchase certificate. In the circumstance, proviso to Sec.3(1)(x) comes into operation and therefore the argument of the 6th respondent that exemption Sec.3(1)(x) of the Kerala Land reforms Act is available to the Dewasom is not sustainable.

23. Moreover, tenants herein are also entitled to get protection under provisions of Malabar Tenancy Act, 1929 also. The Hon'ble Apex Court in **Rajendra Mohan N.K. Vs. Thirvamadi Rubber Company Ltd & Ors (2015 (9) SCC 326(SC))** has held that the property being in continuous possession of the tenant which was initially taken on lease in the year 1918 for 36 years, the tenant company was entitled to fixity of tenure in respect of the leasehold land both under the Malabar Tenancy Act, 1929 as well as under the Kerala Land Reforms Act. So also, the decision in **Kunhukutty Amma Vs Ravunni Menon & Ors reported in (1959 KHC 367)** that prohibition under s.76 of Madras Hindu Religious Endowments Act, 1927 can apply only to alienations made by trustees and cannot apply to renewals of leases and kanoms which are only ordinary acts of management also supports the claim of the respondents 1 to 5.

24. Statutory provisions normally take effect only prospectively and retrospective operation has to be specifically provided in an enactment. Validity or invalidity of a transaction in relation to a statutory provision will have to be decided on the basis of the legal provision as it stood at the time of the transaction. There is no provision in Madras Hindu Religious Endowment Act, 1927 to show that S.76 of the Act has any retrospective effect. In the decision in **AIR 1929 MAD 322 (Chinnan**

**Chettiar v. V Sundaraesa Ayyar And Others)** it is held that Sec.75 of Madras Religious Endowments Act, 1927 cannot have a retrospective effect.

25. Proviso to S. 3(1) (x) of the Kerala Land Reforms Act protects the right of the predecessors in interest of the respondents 1 to 5 who have tenancy rights much prior to the enactment of the Kerala Land Reforms Act, 1963. As per the decision in **Thayukutty v. Manikandan (2023 KHC 886)** a purchase certificate cannot be disregarded unless it is proved that it was inaccurate on its face or obtained by fraud. There is nothing before court to show that Ext.A14 purchase certificate was fraudulently obtained by Narayan and others. So, the only conclusion possible is that the acquired property was outstanding with tenants before the coming into force of the Madras Hindu Religious Endowments Act, 1927 by way of registered documents and none of the provisions of the said Act or Madras Hindu Religious and Charitable Endowments Act, 1951 take away the vested rights with the tenants which had accrued prior to the coming into force of those Acts. So it is found that the acquired land was outstanding with tenants even prior to 1923 and by subsequent transfers the tenancy right was obtained by Narayan and others who by virtue of Ext.A14 purchase certificate obtained absolute title over the acquired property. Exts.A1 to A15 prove that the respondents 1 to 5 have absolute title and possession over the acquired property at the time of acquisition. Hence, the point is found in favour of the respondents 1 to 5.

26. **Point No.(ii):** In the light of the finding on point No.1, it is held that the respondents 1 to 5 are entitled to get the compensation of **₹21,74,744/- (Rupees Twenty one lakh seventy four thousand seven hundred and forty four only)** awarded by the competent authority. The reference is answered accordingly.

**In the result,**

- 1) The reference is answered holding that the respondents No.1 to 4 are entitled to get the amount **₹4,34,949/- (Rupees Four lakh thirty four thousand nine hundred and forty nine only)** each out of ₹21,74,744/- awarded by the Tahsildar for acquisition of land in Resurvey 136/1 (New 136/5) of Chirakkal village, Kannur Taluk having

an extent of 0.0695 Hectares of land acquired for the purpose of development of National Highway with the interest accrued in the fixed deposit;

2) The reference is answered holding that the respondent No.5 is entitled to get the amount **₹4,34,948/- (Rupees Four lakh thirty four thousand nine hundred and forty eight only)** out of ₹21,74,744/- awarded by the Tahsildar for acquisition of land in Resurvey 136/1 (New 136/5) of Chirakkal village, Kannur Taluk having an extent of 0.0695 Hectares of land acquired for the purpose of development of National Highway with the interest accrued in the fixed deposit;

3) Issue cheques accordingly.

(Dictated to the Confdl. Asst., typed by her, corrected and pronounced by me in open Court, on this the 30th day of March, 2026).

ADDITIONAL DISTRICT JUDGE-II

**Respondent/Claimant's Exhibits:-**

- |     |            |   |
|-----|------------|---|
| A1  | 11-05-2023 | Death certificate of K.Narayanan Nair.  |
| A2  | 16-04-2022 | Legal Heirship Certificate of Kulangareth Narayanan Nair.                       |
| A3  | 15-12-1978 | Copy of Partition Deed No.2517/1978 of SRO, Valapattanam.                       |
| A4  | 17-02-1950 | Certified copy of Deed No.318/1950 of SRO, Valapattanam.                        |
| A5  | 05-10-1940 | Certified copy of Deed No.1619/1940 of SRO, Valapattanam.                       |
| A6  | 15-06-1940 | Certified copy of Marupattam Deed No.1050/1940 of SRO, Valapattanam             |
| A7  | 30-01-1936 | Certified copy of Partition Deed No.236/1936 of SRO, Valapattanam               |
| A8  | 23-01-1923 | Certified copy of Charthadharam No.128/1923 of SRO, Valapattanam                |
| A9  | 05-04-2022 | Land Tax receipt issued by Village officer, Chirakkal.                          |
| A10 | 03-01-2023 | Thandapper Account extract.   |
| A11 | 09-01-2023 | Possession certificate issued by Village officer, Chirakkal.                    |
| A12 | 09-01-2023 | Possession and Non-Attachment certificate issued by Village officer, Chirakkal. |

- A13 27-09-2025 Certificate of encumbrance on property for the period from 01-09-2005 to 24-09-2025.
- A14 23-09-1976 Purchase Certificate bearing No.20666/1976 of Land Tribunal, Kannur.
- A15 08-07-2025 Certificate issued by Village officer, Chirakkal.
- A16 -- -- Adangal extract.

**Respondent/Claimant's Witness:- Nil.**

**Petitioner's Exhibits & Witness:- Nil.**

ADDITIONAL DISTRICT JUDGE-II

J.P

Fair/Copy of Order in  
LAR(NHA)No.25/2024  
Dated: 30-03-2026