



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

FRIDAY, THE 7TH DAY OF MARCH 2025 / 16TH PHALGUNA, 1946

WP(C) NO. 13271 OF 2024

PETITIONER:

**KARUNAKARAN.K.R.
AGED 80 YEARS
S/O. RAMAN, KOKKUVAYIL HOUSE, ALA, P.O.
KOTHAPARAMBU, THRISSUR DIST., PIN - 680668**

**BY ADVS.
M.SHAJU PURUSHOTHAMAN
K.S.RAJESH**

RESPONDENTS:

- 1 UNION OF INDIA
REPRESENTED THE SECRETARY, THE MINISTRY OF ROAD
TRANSPORT AND HIGHWAYS, TRANSPORT BHAWAN,
PARLIAMENT STREET,, NEW DELHI,, PIN - 110001**
- 2 THE NATIONAL HIGHWAY AUTHORITY OF INDIA
6TH FLOOR, NHAI BUILDING, G5&6, SECTOR 10, DWARAKA,
NEW DELHI,, PIN - 110075**
- 3 THE COMPETANT AUTHORITY FOR LAND ACQUISITION (CALA)
THE SPECIAL DEPUTY COLLECTOR, NH [66]
KODUNGALLUR, THRISSUR DIST., PIN - 680001**
- 4 THE PROJECT DIRECTOR
NATIONAL HIGHWAY AUTHORITY OF INDIA, VII/511 B,
NEITHELI-MAVELIPURAM, KAKKANAD, ERNAKULAM DIST.,
PIN - 682030**
- 5 THE EXECUTIVE ENGINEERS
NATIONAL HIGHWAY NO.66, KODUNGALLUR, THRISSUR
DIST., PIN - 680664**



**BY ADV KRISHNA T C
SMT. DEEPA NARAYANAN. SR. GP.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07.03.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**



T.R. RAVI, J.

W.P.(C.) No. 13271 of 2024

Dated this the 7th day of March, 2025

JUDGMENT

The petitioner has approached this Court stating that additional extent was sought to be taken possession of, over and above the land acquired and for which the compensation has been paid as per Exts.P2 and P4 awards. According to the petitioner, an additional extent of land where the petitioner had re-constructed his building is sought to be acquired and the building is sought to be demolished.

2. A counter affidavit has been filed by the respondents, wherein it is specifically stated that the State has not acquired any portion over and above the lands covered by Exts.P2 and P4 awards. What is stated is that a total extent of 0.465 Hectares was acquired, of which 0.0020 Hectares is remaining in the possession of the petitioner even though he has already been paid the compensation. For the apprehension of the petitioner that additional land is being taken possession of without following the procedure under land acquisition Act, the statement filed by the counsel



for the respondents 1,2,4 and 5 and the counter affidavit filed by the State is sufficient answer. The submission that the State does not intend to acquire any property over and above the property for which the compensation has been paid as per Exts.P2 and P4 awards is recorded. If the petitioner has any case that additional land has been acquired or taken possession of, it is for the petitioner to establish the same in a competent civil court after letting in evidence. The respondents are directed to demarcate the property which has been taken possession of from the petitioner. The respondents shall clearly demarcate the property which has been taken possession of from the petitioner, so that the petitioner can, if he has any grievance, approach the appropriate civil court. Such demarcation shall be done within one month from the date of receipt of copy of this judgment.

The writ petition is disposed of as above.

**Sd/-
T.R. RAVI,
JUDGE**



APPENDIX OF WP(C) 13271/2024

PETITIONER EXHIBITS

- | | |
|--------------------|---|
| Exhibit P1 | THE TRUE COPY OF THE TITLE DEED NO.
3306/88 DT. 28.12.1988 |
| Exhibit P2 | THE TRUE COPY OF THE PROCEEDINGS OF CALA
BEARING NO.LAC NO.CI/ALA/009352/2021
DT.11.5.2022 |
| Exhibit P3 | THE TRUE COPY OF THE NOTICE BEARING
NO.LAC NO.CI/ALA/009352/2021 ISSUED BY
CALA DT.11.5.2022 |
| Exhibit P4 | THE TRUE COPY OF THE PROCEEDINGS BEARING
NO.2/2021-CL/ALA/009353/2021 OF CALA
DT.11.5.2022 |
| Exhibit P5 | THE TRUE COPY OF THE NOTICE BEARING NO.
LAC NO. CL/ALA/009353/2021 ISSUED BY CALA
DT.11.5.2022 |
| Exhibit P6 | THE TRUE COPY OF THE RECEIPT OF THE LAND
TAX REMITTED BY THE PETITIONER
DT.28.4.2023 |
| Exhibit P7 | THE TRUE COPY OF THE SKETCH OF REMAINING
PROPERTY PREPARED BY THE VILLAGE
OFFICER,ALA-PANANGAD |
| Exhibit P8 | THE TRUE COPY OF THE SKETCH PREPARED BY
THE CONSULTANCY OF NH |
| Exhibit P9 | THE TRUE COPY OF THE REQUEST TO THE
EXECUTIVE ENGINEER NH 66, KODUNGALLUR DT
30.3.2023 |
| Exhibit P10 | THE TRUE COPY OF THE REQUEST TO THE
EXECUTIVE ENGINEER NH 66,KODUNGALLUR
DT.7.3.2024 |
| Exhibit 11 | THE TRUE COPY OF THE PHOTOGRAPHS SHOWING
THE MARKING MADE BY THE RESPONDENTS ON
THE BUILDING |



Exhibit P12 **THE TRUE COPY OF THE COMPLAINT SENT BY
THE PETITIONER THROUGH E-MAIL TO THE
RESPONDENTS 1 & 2 DT. 28.3.2024**

RESPONDENT ANNEXURES

Annexure R1(a) **True copy of the notice issued by the 3rd
respondent to the petitioner**

PETITIONER EXHIBITS

Exhibit P13 **THE TRUE COPY OF THE COMPLAINT SENT BY
THE PETITIONER TO THE 4TH RESPONDENT
DT.2.1.2025**

RESPONDENT EXHIBITS

Exhibit R3(a) **Copy of the mahazar of the acquired land**

Exhibit R3(b) **Copy of the pencil subdivision sketch of
the acquired land**

Exhibit R3(c) **Copy of the structural valuation report**

Exhibit R3(d) **Copy of the proceedings
No .C1.Ala.009352/2021 dated 11/05/2022**

Exhibit R3(e) **Copy of the proceedings
No .C1.Ala.009353/2021 dated 11/05/2022**

Exhibit R3(f) **Copy of the notice No C1.Ala.128/2021
dated 23/03/2024 issued to the petitioner**