

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 25TH DAY OF JUNE 2019 / 4TH ASHADHA, 1941

WP(C).No.25649 of 2015

PETITIONER/S:

- 1 P.V.KOYA
AGED 56 YEARS
S/O.LATE AVVAMMADA NALLAKOYA, R/A.PUTHIYAPENTAM VELI HOUSE, ANDROTH P
O, LAKSHADWEEP, 682551
 - 2 SAROMMABI
AGED 75 YEARS
W/O.NALLAKOYA, PUTHIYABENTAMVELI HOUSE, ANDROTH ISLAND, UNION
TERRITORY OF LAKSHADWEEP, PIN 682551
 - 3 MUHAMMED HUSSAIN
AGED 48 YEARS
S/O.LATE NALLA KOYA, PUTHIYABENTAMVELI HOUSE, ANDROTH ISLAND, UNION
TERRITORY OF LAKSHADWEEP, PIN 682551
 - 4 KHADEEJUMMABI
AGED 40 YEARS
PUTHIYABENTAMVELI HOUSE, ANDROTH ISLAND, UNION TERRITORY OF
LAKSHADWEEP, PIN 682551
- BY ADVS.
SRI.T.KRISHNANUNNI (SR.)
SMT.MEENA.A.
SRI.K.C.KIRAN
SRI.SAJU.S.A
SRI.VINOD RAVINDRANATH

RESPONDENT/S:

- 1 THE DEPUTY COLLECTOR (HQ)
U T OF LAKSHADWEEP, KAVARATTI, KALSHADWEEP, PIN 682555
 - 2 THE SETTLEMENT OFFICER
U T OF LAKSHADWEEP, KAVARATTI, PIN 682555
 - 3 THE COLLECTOR
U T OF LAKSHADWEEP, KAVARATTI, PIN 682555
- BY ADVS.
SRI.MANU.S, CGC, ADMINISTRATION OF THE UNION TERRITORY OF LAKSHADWEEP
SRI.S.RADHAKRISHNANSCLAKSHADWEEP ADMN
- POOJA SURENDRAN GP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25.06.2019, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioners' land was acquired in the year 1983. Subsequently, the surrounding area was also acquired in the year 2009. The petitioners' claim for compensation at par with the new award has been declined by the impugned order. Ext.P6 is the said order. A detailed counter affidavit has been filed in this matter by the authority concerned stating reasons for rejecting the petitioners' claim for enhanced compensation. It is stated therein that the petitioners' claim is governed by the statutory provisions. They can raise claim for compensation placing reliance on the other award only in accordance with the statutory provisions.

2. I am of the view that since the request was made not based on the statutory provisions, the first respondent is perfectly justified in declining their request. There is no merit in this writ petition. Hence, the writ petition is dismissed.

sd/-

A.MUHAMED MUSTAQUE

JUDGE

ms

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	P1:-A TRUE COPY OF THE AWARD DTD 12/4/1983
EXHIBIT P2	P2:-THE TRUE COPY OF THE COMMUNICATION FROM ADMINISTRATION OF U T OF LAKSHADWEEP DTD 6/1/2009
EXHIBIT P3	P3:-THE TRUE COPY OF THE REPRESENTED SUBMITTED BY THE PETITIONERS DTD 15/5/2014
EXHIBIT P4	P4:-THE TRUE COPY OF THE REPRESENTATION BY THE IST PETITIONER TO THE IST RESPONDENT DTD 5/8/2014
EXHIBIT P5	P5:-TRUE COPY OF THE JUDGMENT DTD 19/1/2015 IN WPC NO 1731/2015
EXHIBIT P6	P6:-THE TRUE COPY OF THE PROCEEDINGS OF THE IST RESPONDENT DTD 23/4/2015
RESPONDENTS' EXTS:	NIL

\\TRUE COPY\\

PS TO JUDGE

ms