
(2010) 08 KL CK 0045
In the High Court Of Kerala
Case No : L.A. App. No. 1003 of 2008

N.T.P.C. Ltd.

APPELLANT

Vs

Smt. Chadramathy and Others

RESPONDENT

Date of Decision : 11-08-2010

Acts Referred:

Citation : (2010) 08 KL CK 0045

Hon'ble Judges : Pius C. Kuriakose, J;C.K. Abdul Rahim, J

Bench : Division Bench

Advocate : M.A. Shafik, for the Appellant; K. Sasikumar, for the Respondent

Final Decision : Allowed

Judgement

Pius C. Kuriakose, J.—NTPC Kayamkulam/the Requisitioning Authority is in appeal. Lands in question (both wetlands and dry lands) were acquired for the purpose of establishment of the appellant's Kayamkulam Project. For wetlands the Land Acquisition Officer awarded land value at the rate of Rs. 2326/- per Are. The Reference Court enhanced the same to Rs. 15,000/- per Are. For the dry lands, the Land Acquisition Officer awarded land value at the rate of Rs. 9365/- per Are. The Reference Court enhanced the same to Rs. 25,000/- per Are.

2. Having heard the submissions addressed at the Bar and having taken into account the decision taken by this Court in other cases pertaining to the same acquisition, we are of the view that the enhancement granted by the Reference Court in the case of wetlands extending to 2.70 cents is excessive. We interfere with the enhancement granted in respect of wetlands and re-fix the value of wet lands extending to 2.70 Ares at Rs. 7,000/- per Are.

3. The appeal is allowed to that extent only. It is needless to mention that the claimants will be entitled for all statutory benefits admissible under Sections on the re-fixed compensation by virtue of this judgment. Parties are directed to suffer their respective costs.