



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

FRIDAY, THE 19TH DAY OF DECEMBER 2025 / 28TH AGRAHAYANA, 1947

WA NO. 673 OF 2020

AGAINST THE JUDGMENT DATED 25.02.2020 IN WP(C) NO.27378

OF 2019 OF HIGH COURT OF KERALA

APPELLANTS/PETITIONERS :

- 1 LEO.L.K.
AGED 50 YEARS
S/O LUKA, KUNNOTH HOUSE,
EEZHAKODU, MALAYINKEEZHU.P.O.,
THIRUVANANTHAPURAM-695523.
- 2 V.P.DEEPAKUMARI,
AGED 42 YEARS
D/O VALSALA, SIVADAM CHARUVILA,
VENGANOOR.P.O,
THIRUVANANTHAPURAM-695523.
- 3 SHEEJA,
AGED 43 YEARS
D/O THANKAM, NELLIYARATHALA VEEDU,
VENGANOOR.P.O, THIRUVANANTHAPURAM-695523.
- 4 RIAZ.M.K,
AGED 51 YEARS
S/O MOOSA, KAIRALI NIVAS,
PAZHANJIRA ROAD, THIRUVANANTHAPURAM-695523.
- 5 ANEESH.S,
AGED 35 YEARS
S/O OMANA, DEEPALAYAM, CHARUVILA,
VENGANOOR.P.O,
THIRUVANANTHAPURAM-695523.



- 6 V.RAJAGOPALAN,
AGED 73 YEARS
S/O VELAYUDHAN, VAISHNAVAM,
KALLUVETTANKUZHI, VENGANOOR.P.O.,
THIRUVANANTHAPURAM-695523.
- 7 JAYASREE,
AGED 46 YEARS
D/O OMANA, AISWARYA BHAVAN, CHARUVILA,
VENGANOOR.P.O, THIRUVANANTHAPURAM-695523.
- 8 AISWARYA,
AGED 26 YEARS
D/O JAYASREE, AISWARYA BHAVAN,
VENGANOOR.P.O, THIRUVANANTHAPURAM-695523.
- 9 SHINE,
AGED 37 YEARS
S/O.SUKUMARAN, NELLIYARATHALAVEEDU,
VENGANOOR.P.O, THIRUVANANTHAPURAM-695523.
- 10 LIGI,
AGED 32 YEARS
D/O LEELA, NELLIYATHARAVEEDU,
VENGANOOR.P.O., THIRUVANANTHAPURAM-695523.
- 11 NANDAKUMAR.A.J,
AGED 27 YEARS
S/O JAYALEKSHMI, HARIHARAVILASAM,
VENGANOOR.P.O, THIRUVANANTHAPURAM-695523.
- 12 AMBIKA DEVI.D,
AGED 46 YEARS
D/O.SEKHARAPILLA, HARIHARAVILASAM,
VENGANOOR.P.O, THIRUVANANTHAPURAM-695523.
- 13 UNNIKRISHNAN,
AGED 53 YEARS
S/O SELHARAPILLA, KRISHNASREE,
CHAMAVILAKAM, MULLOOR.P.O.,
THIRUVANANTHAPURAM-695521.
- 14 SINDHU.S,
AGED 45 YEARS
D/O SUBHADRA, MADATHIL MELE VEEDU, CHARUVILA,
PEECHOTTUKONAM, VENGANOOR.P.O,
THIRUVANANTHAPURAM-695523.



- 15 GOPI,
AGED 74 YEARS
S/O VELUKUTTY, CHARUVILA PUTHENVEEDU,
VENGANOOR.P.O., THIRUVANANTHAPURAM-695523.
- 16 PANIYAMMA,
AGED 36 YEARS
D/O MARIAMARY, NELLIYATHALAVEEDU, LILLY LAND,
VENGANOOR.P.O., THIRUVANANTHAPURAM-695523.
- 17 SANTHA.P,
AGED 58 YEARS
W/O SURENDRAN, NELLIYATHALAMELETHIL VEEDU,
VENGANOOR..P.O., THIRUVANANTHAPURAM-695523.
- 18 AJITHKUMAR.S,
AGED 49 YEARS
S/O SADASIVAN, ABHIJITH NIVAS, KALLUVETTANKUZHI,
VENGANOOR.P.O., THIRUVANANTHAPURAM-695523.
- 19 RINI GEORGE,
AGED 46 YEARS
D/O ALEYKUTTY GEORGE, KANNOTHU HOUSE, EEZHAKKODU,
MALAYINKEEZHU.P.O, THIRUVANANTHAPURAM-695571.
- 20 LEELA,
AGED 58 YEARS
W/O SREEDHARAN, NELLIYARATHALAVEEDU,
VENGANOOR.P.O., THIRUVANANTHAPURAM-695523.
- 21 MANJU.V,
AGED 44 YEARS
D/O VALSALA, PRANAVAM, ADMABHODHINI,
KALLIYOOR, THIRUVANANTHAPURAM.
- 22 HARIKUMAR.R,
AGED 48 YEARS
S/O RAJAPPAN NAIR, SIVADAM, CHARUVILA,
VENGANOOR.P.O, THIRUVANANTHAPURAM-695523.
- 23 KRISHNA D.H,
AGED 16 YEARS
D/O DEEPAKUMARY,
REP.BY HER MOTHER DEEPA KUMARI,
SIVADAM, CHARUVILA, VENGANOOR.P.O,
THIRUVANANTHAPURAM-695523.



- 24 APPU,
AGED 51 YEARS
S/O MADHAVAN NAIR,
NELLIYARATHALAVEEDU,
VENGANOOR.P.O,
THIRUVANANTHAPURAM-695523.
- 25 SHIBU.T.I,
AGED 41 YEARS
S/O THANKAMANI, POONKAVANAM,
MULLOOR.P.O,
THIRUVANANTHAPURAM.
- 26 SUMITHAKUMARI.V,
AGED 35 YEARS
W/O SHIBU, POONKAVANAM,
MULLOOR.P.O, THIRUVANANTHAPURAM.
- 27 AJITH.R,
AGED 63 YEARS
S/O RAGHAVAN, AMJITH BHAVAN,
VENGANOOR.P.O, THIRUVANANTHAPURAM.
- 28 MURUKAN.A,
AGED 48 YEARS
S/O.M.APPU,
SUNDHARAMANGALATH VEEDU,
NEELAKESHI TRANSFORMER ROAD,
VENGANOOR.P.O,
THIRUVANANTHAPURAM.
- 29 PREETHA.S,
AGED 37 YEARS
W/O MURUKAN,
SUNDHARAMANGALATH VEEDU,
NEELAKESHI TRANSFORMER ROAD,
VENGANOOR.P.O,
THIRUVANANTHAPURAM.

BY ADVS.
SHRI.T.R.S.KUMAR
SRI.K.RAJAN (MUHAMMA)
SMT.DEENA JOSEPH
SMT.DEEPA R MENON
SRI.T.K.SHAJITH



RESPONDENTS/RESPONDENTS :

- 1 STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.
- 2 THE CHIEF ENGINEER VYDHYUTHI BHAVAN,
THIRUVANANTHAPURAM, PIN-695004.
- 3 THE DISTRICT COLLECTOR,
COLLECTORATE, CIVIL STATION, KUDAPPANAKUNNU,
THIRUVANANTHAPURAM-695004.
- 4 ADDITIONAL DISTRICT MAGISTRATE,
KUDAPPANAKUNNU, THIRUVANANTHAPURAM-695004.
- 5 ASSISTANT EXECUTIVE ENGINEER,
LINE COINSTRUCTION, SUB DIVISION,
BALARAMAPURAM-695501.
- 6 THE MANAGING DIRECTOR,
VIZHINJAM INTERNATIONAL SEAPORT,
VIPANCHIKA TOWER, THYKADU,
THIRUVANANTHAPURAM-695014.

BY ADVS.
SRI.K.M.SATHYANATHA MENON
SRI.VIPIN P.VARGHESE
SMT.KAVERY S THAMPI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 18.12.2025,
ALONG WITH WA.719/2020, THE COURT ON 19.12.2025 DELIVERED THE
FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

FRIDAY, THE 19TH DAY OF DECEMBER 2025 / 28TH AGRAHAYANA, 1947

WA NO. 719 OF 2020

AGAINST THE JUDGMENT DATED 25.02.2020 IN WP(C) NO.19446

OF 2019 OF HIGH COURT OF KERALA

APPELLANTS/PETITIONERS :

- 1 RAJAN D.
AGED 54 YEARS
S/O.DANAM, A.R.BHAVAN, KALLUVETTANKUZHI,
VENGANOOR P.O., THIRUVANANTHAPURAM - 695 523.
- 2 YESUDAS F.
THANAL COTTAGE,
KALLUVETTANKUZHI,
VENGANOOR P.O. - 695 523.
- 3 KRISHNAKUMAR V.
AGED 42 YEARS
S/O.VIVEKANANDAN V.P., MEENA BHAVAN,
KALLUVETTANKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 4 P.VAHAB
AGED 59 YEARS
S/O.PEERUKANNU, V.S.MANZIL,
KALLUVETTANKUZHI,
VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 5 KANNAN ACHARI T.
AGED 51 YEARS
S/O.THANUVAN ACHARI, KAILAS,
KUZHIVILA, KALLUVETTANKUZHI,



VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.

- 6 FREDDY L. & SHERLY
KAIRALI NIVAS, KALLUVETTANKUZHI,
VIZHINJAM P.O., THIRUVANANTHAPURAM - 695 523.
- 7 KUMARESAN P.
AGED 62 YEARS
S/O.PADMANABHAN ACHARI, SOUPARNIKA,
KUZHIVILA, KALLUVETTANKUZHI, VIZHINJAM P.O.
- 8 K.M.ROBERT
AGED 82 YEARS
S/O.KESAVAN MANUEL, BETHEL MANDIRAM,
KUZHIVILA, KALLUVETTANKUZHI,
VENGANOOR P.O., THIRUVANANTHAPURAM - 695 523.
- 9 K.SUDHAKARAN NAIR
AGED 62 YEARS
S/O.KOCHIKRISHNAN NADAR, SOORYA BHAVAN,
VALIYAVEETUVILAKAM, KALLUVETTANKUZHI,
VENGANOOR P.O., THIRUVANANTHAPURAM - 695 523.
- 10 SHIBU TITUS
AGED 48 YEARS
S/O.TITUS, KUZHIVILA, KALLUVETTANKUZHI,
VENGANOOR P.O., THIRUVANANTHAPURAM - 695 523.
- 11 BINU MAHESH M.S.
AGED 48 YEARS
S/O.MADHAVAN, ROHINI, DHARBHAVILA,
VIZHINJAM P.O., THIRUVANANTHAPURAM - 695 523.
- 12 KABEER SHA A.
AGED 41 YEARS
S/O.AHAMED KANNU, ASUMA MANZIL,
KALLUVETTANKUZHI, VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.
- 13 CHELLAPPAN NADAR
AGED 70 YEARS
S/O.KOCHUKRISHNAN NADAR,
K.C.V.BHAVAN, KALLUVETTANKUZHI,
VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.



- 14 K.ANIL KUMAR
AGED 46 YEARS
S/O.S.KRISHNAN NADAR,
K.S.BHAVAN, PALAPPORU,
VELLAYANI P.O.,
THIRUVANANTHAPURAM - 695 523.
- 15 KUMAR P.
AGED 53 YEARS
S/O.PARAMESWARAN ACHARI,
PRANAVAM, KUZHIVILA,
KALLUVETTAKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 16 PATRIK R.
AGED 52 YEARS
S/O.ROSARIO, KUMAR BHAVAN,
KOTTAPURAM P.O., VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.
- 17 SOORYA R.S.
AGED 28 YEARS
D/O.K.SUDHAKARAN NADAR, SOORYA BHAVAN,
VALIYAVEETUVILAKAM, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 18 BIJU D.S.
AGED 50 YEARS
S/O.A.DAMODARAN NADAR,
VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 19 FRANCIS XAVIER S.R.
AGED 63 YEARS
S/O.SERLING, GRACE BHAVAN,
KALLUVETTANKUZHY, VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.
- 20 SYAM KUMAR
AGED 46 YEARS
S/O.STEPHANOSE K., PEACE COTTAGE,
KALLUVETTANKUZHI,
VENGANOOR P.O. - 695 523.
- 21 SHAJI R.
AGED 50 YEARS
S/O.RAJARETHNAM, KUZHIVILA,
ROADARIKATHU VEEDU,



KALLUVETTANKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.

- 22 GEETHA O.
AGED 57 YEARS
D/O.APPUKUTTAN, GREESHMA BHAVAN,
KALLUVETTANKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 23 RESHMA SREEKUMAR
AGED 29 YEARS
D/O.GEETHA, GREESHMA BHAVAN,
KALLUVETTANKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 24 BALAKRISHNAN
AGED 72 YEARS
S/O.M.GOVINDAN NADAR,
VALIYA VEETUVILAKAM,
VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 25 T.VAIRAVAN ACHARI
AGED 33 YEARS
S/O.THANUVAN ACHARI, THIRUVONAM,
KUZHUVILA, KALLUVETTANKUZHI,
VENGANOOR P.O., THIRUVANANTHAPURAM - 695 523.
- 26 ARYA S.
AGED 24 YEARS
D/O.K.SUDHAKARAN NADAR, SOORYA BHAVAN,
VALIYAVEETUVILAKAM, KALLUVETTANKUZHI,
VENGANOOR P.O., THIRUVANANTHAPURAM - 695 523.
- 27 DOMINIC V.
AGED 56 YEARS
S/O.VINCENT S.,
SWEET HOME, THENNOORKONAM,
KOTTAPURAM P.O.,
VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 28 VICTOR LEEN
AGED 47 YEARS
S/O.LEEN, ANGEL HOUSE,
KALLUVETTANKUZHI, VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.



- 29 JAMES LEEN
AGED 50 YEARS
S/O.LEEN, JERUSALEM BHAVAN,
KALLUVETTANKUZHI, VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.
- 30 SMITHA RANI
D/O.THANKAMANI NADAR, ACHU NIVAS,
NELLIVILA, MULLOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 31 MUHAMMAD SHERIEF
AGED 46 YEARS
S/O.PEERUKANNU, AL-NOOR,
KALLUVETTANKUZHI, VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.
- 32 DHARMARAJ J.
AGED 55 YEARS
S/O.JOHNSON, KALLUKUTHIYAVILA VEEDU,
KALLUVETTANKUZHI, VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.
- 33 K.S.ANIL KUMAR
AGED 50 YEARS
S/O.SADASIVAN NADAR, RAMA MANDIRAM,
KALLUVETTANKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM- 695 523.
- 34 M.SWARNAPPAN
AGED 82 YEARS
S/O.MADAPILLA ACHARI,
KARUMANIKKA VILAKOM, VIZHINJAM STREET,
VIZHINJAM P.O., THIRUVANANTHAPURAM - 695 523.
- 35 DR.R.L.RAG
AGED 41 YEARS
S/O.S.S.RAJAN, R.L.NIVAS,
KALLUVETTANKUZHI,
VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 36 D.S.PADMAKUMARI
AGED 54 YEARS
SANGA HOUSE, KALLUVETTANKUZHI,
VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.



- 37 JUSTIN RAJ S.R.
AGED 52 YEARS
S/O.Y.SUANNY, RAJ COTTAGE,
HOSPITAL ROAD, VIZHINJAM P.O.,
THIRUVANANTHAPURAM - 695 523.
- 38 PRIYADARSHINI L.
AGED 35 YEARS
D/O.LATE VAIRAVAN,
T.C.NO.38/2940, RAJESH BHAVAN, CHALAI P.O.,
KILLIPALAM, THIRUVANANTHAPURAM - 695 523.
- 39 KRIPA S.
AGED 13 YEARS
D/O.SHEELA L., PEACE COTTAGE,
KALLUVETTANKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.
- 40 M.GANESAN ACHARI
AGED 81 YEARS
S/O.MANIKKAM ACHARI,
GANESH BHAVAN,
KALLUVETTANKUZHI, VENGANOOR P.O.,
THIRUVANANTHAPURAM - 695 523.

BY ADV SHRI.T.R.S.KUMAR

RESPONDENTS/RESPONDENTS :

- 1 STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 THE CHIEF ENGINEER VYDHYUTHI BHAVAN
THIRUVANANTHAPURAM, K.S.E.B.,
PIN - 695 004.
- 3 THE DISTRICT COLLECTOR
COLLECTORATE, CIVIL STATION,
KUDAPPANAKUNNU,
THIRUVANANTHAPURAM - 695 004.
- 4 ADDITIONAL DISTRICT MAGISTRATE
KUDAPPANAKUNNU,
THIRUVANANTHAPURAM - 695 004.



- 5 ASSISTANT EXECUTIVE ENGINEER
LINE CONSTRUCTION, SUB DIVISION, K.S.E.B.,
BALARAMAPURAM - 695 501.
- 6 THE MANAGING DIRECTOR
VIZHINJAM INTERNATIONAL, SEAPORT,
VIPANCHIKA TOWER, THYKADU,
THIRUVANANTHAPURAM - 695 014.

BY ADVS.
SRI.K.M.SATHYANATHA MENON
SRI.VIPIN P.VARGHESE
SMT.KAVERY S THAMPI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 18.12.2025,
ALONG WITH WA.673/2020, THE COURT ON 19.12.2025 DELIVERED THE
FOLLOWING:



J U D G M E N T

A.Muhamed Mustaque, J.

These appeals raise a question as to the applicability of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the "LARR Act") for the electricity line drawn over the land belonging to the appellants. The learned Single Judge answered the issue against the appellants.

2. Sri.T.R.S.Kumar, the learned counsel for the appellants, raised an elaborate argument placing reliance on Article 300A of the Constitution of India on the basis of the doctrine of eminent domain and also placing reliance on a book titled "*Legislating for Justice: The Making of the 2013 Land Acquisition Law*" authored by Jairam Ramesh and Muhammad Ali Khan. His argument is that though an electricity line is drawn over the land that belongs to its owners, in essence, it is an acquisition of the land, as the owner is tied up from enjoying the land in the same manner it was enjoyed before.

3. "Land acquisition" implies divesting the title/ownership from a private owner and the corresponding vesting of the title/ownership with the State. Parliament never contemplated the



application of the LARR Act to situations other than those involving such acquisition of land.

4. In fact, the appellants are really concerned about the determination of the compensation. This involves adjudication based on the principles of determining compensation.

5. The appellants approached this Court by invoking the writ remedy. The writ remedy cannot ordinarily be invoked to determine compensation payable in accordance with the statutory provisions. Section 16(3) of the Indian Telegraph Act, 1885 provides a forum to determine the sufficiency of the compensation. Section 10(d) of the Indian Telegraph Act provides that when the telegraph authority exercises its statutory power to place and maintain telegraph lines or posts on private property, it is bound to pay full compensation to the person interested for any damage sustained by reason of such exercise of power. We also note Section 67 of the Electricity Act, 2003. The said provision only states about compensation without fixing any procedure or method for fixing compensation. Section 67(2)(e) of the Electricity Act, 2003 authorizes the appropriate Government to make rules specifying the determination and payment of compensation or rent to the persons affected. Section 67(3) of the Electricity Act, 2003 mandates the licensee to pay full compensation for any damage, detriment or inconvenience caused



by any such activities undertaken. Whether the LARR Act can be applied for determining compensation as a general law is a matter to be considered in appropriate proceedings. This Court, while invoking writ jurisdiction, shall not entertain an issue relating to the principles to be followed in adjudication related to determination of compensation. The Writ Court cannot decide in what manner compensation is to be determined. Whether the LARR Act holds the field after its enactment is a matter to be considered by the competent authority at an appropriate level.

We find no scope for interference in the matter. Accordingly, these Writ Appeals stand dismissed.

Sd/-

**A.MUHAMED MUSTAQUE
JUDGE**

Sd/-

**HARISANKAR V. MENON
JUDGE**

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