



GOVERNMENT OF KERALA
Abstract

Local Self Government Department-Vyttila Mobility Hub Society- Judgment in D.B.P No.76 of 2011 & DBA No.18 of 2012 in the High Court of Kerala - Sanction to transfer Rs.1.5 Crores to Cochin Devaswom Board - Accorded-Orders issued.

LOCAL SELF GOVERNMENT (DB) DEPARTMENT

G.O.(Rt).No.3542/2012/LSGD Thiruvananthapuram, dated: 20-12-2012

- Read: 1. Order dated 30-5-2012 in DBA No. 18/12 filed by Cochin Devaswom Board before the Hon'ble High Court of Kerala
2. G.O(Rt) No.1600/2012/LSGD dated 13-6-2012
3. Order dated 8-8-2012 in DBA No.18/2012 & DBP No.76/2011 of Hon'ble High Court of Kerala.
4. Order dated 21-11-2012 in DBP No.76 of 2011 and DBA No. 18 of 2012 filed by Cochin Dewaswom Board before the Hon'ble High Court of Kerala.
5. Letter No. VMHS /06/02/10 dated 7/12/2012 of Managing Director, Vyttila Mobility Hub Society, Kochi.

ORDER

Cochin Devaswom Board filed a case DBA No.18/12 before the Hon'ble High Court alleging that 19 cents of land comprised in Re Survey No.731/3 of Poonithura Village belonging to Cochin Devaswom Board was in possession of Vyttila Mobility Hub Society. The Hon'ble High Court as per the judgment referred as first paper above, ordered to settle the issue regarding just and adequate compensation within a period of three weeks. As per the GO read as 2nd paper above, Government have accorded sanction to purchase 0.0603 hectares (14.90 cents) of land comprised in Re Survey No.731/3 of Poonithura Village, Kanayannoor Taluk at the value fixed by District Collector, Ernakulam through negotiation with Cochin Devaswom Board. The DistrictCollector, after negotiation fixed the value as Rs.1,00,00,000/- (Rupees One Crore).

The Hon'ble High Court, as per the order read as third paper above, directed the Ombudsman for Travancore and Cochin Devaswom Board to hear both parties to arrive at a more reasonable and just compensation for the land in dispute. The Hon'le Ombudsman for Travancore and Cochin Devaswom Board heard both the parties to come to a final settlement through negotiation. During negotiation, society agreed to pay an additional amount of Rs.50,00,000/- (Rupees Fifty Lakhs) in addition to the amount fixed by

District Collector and making the total compensation amount to Rupees One Crore Fifty Lakhs. Hon'ble Ombudsman after hearing passed an order recommending the compensation to be paid at Rs. 2,00,00,000/- (Rupees Two Crores).

An objection was filed before the High Court on behalf of Vyttila Mobility Hub Society against the order of Ombudsman requesting to finalize the compensation at 1.5 Crores itself.

Now as per the order read as fourth paper above the Division Bench of the Hon'ble High Court of Kerala has directed the Government to immediately release the agreed amount of Rupees 1.5 crores to Cochin Devaswom Board within one month. Hon'ble High Court also ordered that the total compensation can be settled after hearing the parties. The Managing Director, Vyttila Mobility Hub Society as per the letter read as fifth paper above, requested sanction to transfer Rs.1.5 Crores to Cochin Devaswom Board so as to comply with Hon'ble Court Order.

Government have examined the matter in detail and are pleased to accord sanction to transfer Rs.1.5 Crores to Cochin Devaswom Board so as to comply with the Order of Hon'ble High Court of Kerala. The Managing Director, Vyttila Mobility Hub Society will take further necessary action to transfer Rs. 1.5 Crores to Cochin Devaswom Board forthwith.

(By Order of the Governor)

V.S. SENTHIL
Principal Secretary to Government

To

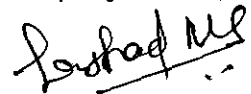
The Managing Director, Vyttila Mobility Hub Society , Ernakulam
The District Collector, Ernakulam
The Principal Accountant General (A&E/Audit) Thiruvananthapuram
The Accountant General (LBA&A) Thiruvananthapuram
✓ The Executive Director, Information Kerala Mission (For publishing in
the website)

The Finance Department (vide U.O.No.106895/Dev.2/12/Fin dated
17-12-2012)

Stock file/Office copy.

Copy to:- PS to Chief Minister
PS to Minister (Urban Affairs & Minority Welfare)

Forwarded / By Order,



Section Officer.