

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

RP.No. 503 of 2007 () IN AS.399/1992

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AGAINST THE ORDER/JUDGMENT IN AS 399/1992 of HIGH COURT OF KERALA DATED
14-11-2006**

OS.No.15/1987 OF SUB COURT, VADAKARA

REVIEW PETITIONER(S)/3RD RESPONDENT:

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MEETHALA KANNAMBATH THAMASIKKUM KANNAMBATH KADEESA,
PALAYAD AMSOM
PATHIYARAKARA DESOM, VADAKARA.**

BY ADV. SRI.T.SETHUMADHAVAN

RESPONDENT(S)/APPELLANTS & RESPONDENTS 1,2,4, TO 6:

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- 1. V.K.ACHUTHAKURUP,
'VIDHIA BHAVAN, KARUVANCHERI AMSOM DESOM,
VADAKARA TALUK.**
 - 2. O.BALAKRISHNAN,PALAYAD AMSOM,
PATHIYARAKARA DESOM, VADAKARA TALUK.**
 - 3. K.AYISSA,PALAYAD AMSOM,PATHIYARAKARA
DESOM, VADAKARA**
 - 4. AMINA,PALAYAD AMSOM, PATHIYARAKARA
DESOM, VADAKARA.**
 - 5. KIZHAKKETHURUTHI PARAMBATH ALIAS,
KALLULLAPARAMBIL KUNHABDULLA,
PATHIYARAKARA DESOM VADAKARA.**
 - 6. PALLIPARMBATH KUNHIRAMAN,
PATHIYARAKARA DESOM, VADAKARA.**
 - 7. ARAYULLA KANDI AMMAD, KARUVANCHERI DESOM,
VADAKARA.**

**R BY ADVS. SRI.R.K.MURALEEDHARAN
R BY SRI.B.KRISHNAN**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 26-11-2015,
ALONG WITH RP.809/2007, RP. 815/2007, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:**

DG

THOTTATHIL B.RADHAKRISHNAN, J.

C.M.Appl.No.808 of 2007 & R.P.No.503 of 2007
in AS No.399 of 1992,
C.M.Appl.No.1495 of 2007 & R.P.No.809 of 2007
in AS No.335 of 1992
and
C.M.Appl.No.1501 of 2007 & R.P.No.815 of 2007
in AS No.399 of 1992

Dated this the 26th day of November, 2015

ORDER

1. These applications seeking review of judgment stand with applications seeking condonation of delay in institution.
2. Heard the learned counsel for the review petitioners and the learned counsel for defendants 5 and 6.
3. The judgment sought to be reviewed was rendered reversing the preliminary decree passed by the trial court. The particular finding on which the suit was dismissed by this Court was that the plaintiff had not identified the property that is sought to be partitioned. Going through the judgment sought to be reviewed, it is beyond doubt that this Court had adverted to

and considered the Commissioner's report and plan and had concluded that the description of the property is at variance with what has been identified and the resultant situation emanating out of the discussions touching the facts was that the plaintiff had not established the identity of the property sought to be partitioned. There is no ground for review of judgment, since there is no error apparent on the face of the record and no other ground for review has been established.

4. For the aforesaid reasons, the applications seeking condonation of delay and the review petitions do not merit consideration and issuance of notice. Review petitions fail.

In the result, the C.M.Applications and the review petitions are dismissed.

Sd-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

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P.A TO JUDGE