

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR
&

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

RP.No. 693 of 2007 () IN CMCP.7/2006

AGAINST THE ORDER IN CMCP 7/2006 of HIGH COURT OF KERALA DATED
21-06-2007

REVIEW PETITIONER/PETITIONER

1. REGHUNATHAN, S/O CHELLAPPAN ACHARY
RESIDING AT LEKSHMI BHAVAN, CHIRAKADAVAM MURI
KAYAMKULAM VILLAGE.

2. ANILKUMAR, S/O.CHELLAPPAN ACHARY DO.DO.

BY ADV. SRI.R.RAJASEKHARAN PILLAI

RESPONDENT/RESPONDENT:

JANAKI AMMAL, D/O THANKAMMAL
RESIDING AT POOKOICKAL VADAKKATHIL PUTHENVEETTIL
CHIRAKADAVOM MURI, KAYAMKULAM VILLAGE
NOW RESIDING AT MANIMANDIRAM, CHERAVALLY, KAYAMKULAM.

BY ADV. SRI.PHILIP M. VARUGHESE

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
03-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**T.R.RAMACHANDRAN NAIR &
K.P.JYOTHINDRANATH, JJ.**

**R.P.No.693 OF 2007 IN
C.M.C.P.No.7 OF 2006**

Dated this the 3rd day of August, 2015

ORDER

Ramachandran Nair, J.

This review petition is filed by the petitioner in the C.M.C.P. seeking to review the order dated 21/06/2007 in C.M.C.P.No.7/2006. This Court disallowed the application in the light of the report of the District Collector that the petitioners have sold one item of property. After the review petition was filed, again the Division Bench passed an order on 25.7.2007 directing the District Collector, Alappuzha to conduct an enquiry as to whether Annexure A1 document has been properly valued, with notice to the parties and whether proper stamp duty has been paid. The District Collector has filed a report along with a memo stating that the consideration shown is only ₹10,000/- and the said document has not been properly valued according to the prevailing market value in the locality at the time of registration and the prevailing

market value in the locality is ₹ 40,000/- per Are. It is also reported that proper stamp duty has not been paid.

Apart from the same, it may not be necessary to hold an enquiry as to whether the plea raised by the petitioner that the amount was received some time back i.e. before the date of execution of the document . What is relevant is the date of execution of the document itself. In that view of the matter, we find no reason to review the order. Accordingly, the review petition is dismissed.

T.R.RAMACHANDRAN NAIR, JUDGE

K.P.JYOTHINDRANATH,JUDGE

SV.