

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

RP.No. 370 of 2011 () IN WP(C).1586/2008

IN WP(C) 1586/2008 of HIGH COURT OF KERALA DATED 22.12.2010

REVIEW PETITIONER(S)/5TH RESPONDENT IN THE WRIT PETITION :

**C.A.CHACKO,S/O.C.C.ABRAHAM,
CHATHENKERIL HOUSE, ROSE MOUNT, STADIUM ROAD
THIRUVALLA**

BY ADV. SRI.P.HARIDAS

RESPONDENT(S)/PETITIONER AND RESPONDENTS 1 TO 4 IN THE WRIT PETITION :

- 1. T.I.OMMEN, S/O.LATE T.O.IYPE,
THEVERIL HOUSE, KIZHAKKUMBHAGOM P.O., NIRANAM
THIRUVALLA 689 621**
- 2. THE COMMISSIONER OF LAND REVENUE,
PUBLIC OFFICE BUILDING, MUSEUM JUNCTION
THIRUVANANTHAPURAM-1**
- 3. THE SECRETARY, LOCAL SELF GOVERNMENT
DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-1**
- 4. THE REVENUE DIVISIONAL OFFICER,
THIRUVALLA 689 101**
- 5. NIRANAM GRAMA PANCHAYATH,
REP.BY ITS SECRETARY 689 621**

**R5 BY ADV. SRI.R.GIREESH VARMA
R2-4 BY GOVERNMENT PLEADER SRI.R.PADMARAJ
R BY SRI.S.SHANAVAS KHAN**

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 13-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

RP.No. 370 of 2011 () IN WP(C).1586/2008

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT.R5(a) : TRUE COPY OF THE REPRESENTATION DATED 10.3.2008
SUBMITTED BEFORE THE DISTRICT COLLECTOR,
PATHANAMTHITTA**

EXT.R5(b) : TRUE COPY OF THE OLD SURVEY PLAN

RESPONDENT(S)' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

VS

T.R.RAMACHANDRAN NAIR, J.

Review Petition.No.370 of 2011

Dated this the 13th day of August, 2015

JUDGMENT

This review petition is filed by the 5th respondent in the W.P.(C).N0.1586/2008. The writ petition was disposed of directing the 5th respondent Grama Panchayat herein to take appropriate legal action for recovery of certain item of land. The apparent contention raised by the petitioner in the writ petition before this Court is that the review petitioner is occupying property vested in the Panchayat and an application for assignment was rejected.

2. Heard Both sides.

3. In the review petition, the contention raised is that the allegation raised against the review petitioner is not correct. Apart from that, proper applications have been filed before the competent authority for correction of survey records. The review petitioner has also filed a writ petition as W.P.C.No.20677/2011, which is said to be

pending. In the said writ petition this Court has already ordered the Panchayat to be impleaded.

3. In view of these aspects, it is only proper that the writ petition is revived, to be heard along with W.P.C.No.20677/11. Hence the review petition is allowed and the judgment is recalled.

The writ petition No.1586/2008 is revived and it will be posted along with W.P.C.No.20677/11.

Sd/-
T.R.RAMACHANDRAN NAIR
JUDGE

VS