

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

RP.No. 704 of 2013 (I) IN WP(C).15087/2010

AGAINST THE ORDER/JUDGMENT IN WP(C) 15087/2010 of HIGH COURT OF KERALA
DATED 05-10-2010
REVIEW PETITIONER(S)/WRIT PETITIONERS:

1. VARGHESE PANTHALLUKARRAN
PANTHALLUKKARAN HOUSE, ALUR P.O., TRICHUR.
2. JULIE VARGHESE PANTHALLUKKARAN
W/O. VARGHESE, PANTHALLUKKARAN HOUSE, ALUR P.O.
TRICHUR.

BY ADV. SRI.JOY THATTIL ITTOOP

RESPONDENT(S)/RESPONDENTS:

1. CORPORATION OF COCHIN
REPRESENTED BY ITS SECRETARY
OFFICE OF THE COCHIN CORPORATION, ERNAKULAM
COCHIN-11.
2. THE COUNCIL OF COCHIN CORPORATION
REPRESENTED BY THE MAYOR, CORPORATION OF COCHIN
COCHIN-11.
3. THE CORPORATION ENGINEER
CORPORATION OF COCHIN, COCHIN-11.

BY STANDING COUNSEL SHRI K.J. MANU RAJ

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 04-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

ANNEXURE A - CERTIFIED COPY OF THE JUDGMENT IN W.P.C.NO.15087/2010

ANNEXURE B-TRUE COPY OF COMMISSION REPORT SUBMITTED BY ADV. SUBASH
CHAND ADVOCATE COMMISSIONER IN COC NO.1245/2011

ANNEXURE C-TRUE COPY OF MEMO DATED 12.2.2013 ALONG WITH DRAFT SKETCH
FILED BY THE PETITIONERS.

// TRUE COPY //

P.S. TO JUDGE

P.N. Ravindran, J.

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**R.P.No.704 of 2013
in
W.P.(C) No.15087 of 2010**

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Dated this the 4th December, 2015

ORDER

Admit. Shri K.J. Manu Raj, learned counsel takes notice for the respondents. Service complete.

2. The prayer in this review petition is to review and recall the judgment delivered by me on 5.10.2010 in W.P.(C)No.15087 of 2010. Both sides are in agreement that on account of reasons beyond their control, it is not possible to give effect to the resolution adopted by the Corporation of Cochin as reflected in Ext.R1(a) resolution and that another alternate pathway will have to be found to the petitioners' land. Such being the situation, I am of opinion that the instant review petition should be allowed and the judgment disposing of the writ petition reviewed and recalled.

Accordingly, I allow the review petition and review and recall the judgment delivered by me on 5.10.2010 in W.P.(C) No.15087 of 2010. Registry to post the writ petition for hearing as per roster next week.

(P.N. Ravindran, Judge.)

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