

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

RP.No.19 of 2015

(AGAINST THE JUDGMENT IN WP(C) NO.25119/2014) .

REVIEW PETITIONERS (NOT PARTY TO THE WRIT PETITION):

- 1. DIVINE NAGAR RESIDENTS ASSOCIATION,
REG.NO.TC 541/13,7/552 DIVINE NAGAR,
SOUTH CHITTOOR,KOCHI-27,
REPRESENTED BY ITS SECRETARY.**
- 2. THOMAS K.G,AGED 42 YEARS,
S/O.GEORGE,SECRETARY,
DIVINE NAGAR RESIDENTS ASSOCIATION,
REG.NO.TC 541/13,7/552 DIVINE NAGAR,
SOUTH CHITTOOR,KOCHI-27,
RESIDING AT KATTIKKARAN HOUSE,7/552-A
DIVINE NAGAR,SOUTH CHITTOOR,KOCHI-682027.**

**BY ADVS.SMT.ANNA THOMAS
SRI.M.RAMACHANDRAN (KALOOR)**

RESPONDENTS/PETITIONER AND RESPONDENT IN THE WPC:

- 1. J.S.AJITH KUMAR,ADVOCATE,S/O JAYADEVAN NAIR,
RESIDING AT 7/553-L,HOUSE NO.456,
ANANTHAPURAI DIVINE NAGAR,
SOUTH CHITTOOR,KOCHI-27.**
- 2. THE DISTRICT REGISTRAR (GENERAL),
OFFICE OF THE REGISTRAR (GENERAL),
PERUMPILLI BUILDINGS
OPPOSITE MAHARAJAS COLLEGE GROUND,
HEAD POST OFFICE,P.O.ERNAKULAM-682011.**

**R1 BY ADV. SRI.P.S.KRISHNA PILLAI
R2 BY SENIOR GOVT. PLEADER M.A.FAYAZ**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 12-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

W.P NO.19/2015

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEXURE A1:TRUE COPY OF THE REPRESENTATION DATED 29.9.2014
SUBMITTED BY THE 2ND PETITIONER.**

**ANNEXURE A2:TRUE COPY OF THE ORDER NO.M 1-1168/14 DATED 27.10.2014
ISSUED BY THE 2ND RESPONDENT.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.

R.P.No.19 of 2015

in

W.P.(C) No.25119 of 2014

Dated this the 12th day of January, 2015

ORDER

The review petition is filed at the instance of the third parties feeling aggrieved by the directions of this Court in the judgment. The issue pertains to the registration of the Society by the District Registrar (General). By Ext.P3 order produced in the writ petition, the District Registrar (General) ordered to de-register the Association of the review petitioners. This Court directed the District Registrar to implement its decision in Ext.P3 produced in the writ petition unless it is interdicted by any other authority after issuing notice to the review petitioners. The review petitioners' grievance is that they have already submitted Annexure-A1 before the District Registrar (General) as

against Ext.P3 and on account of the pendency of Annexure-A1, the District Registrar (General) has not taken any decision in the matter. The review petitioners further submitted that based on the directions of the Hon'ble Court ignoring Annexure-A1, the District Registrar (General) is now proceeding with implementation of Ext.P3. The learned counsel for the writ petitioner would submit that the District Registrar (General) has no power to review his own decision and there is no error apparent in the directions of this Court. This Court already clarified the judgment itself unless the order passed by the District Registrar (General) interdicted by any other authority, the District Registrar(General) is bound to implement the decision. Annexure-A1 submitted by the review petitioners is necessarily to review the earlier decision of the District Registrar (General).

2. I cannot direct the District Registrar (General) to consider Annexure-A1. However, the review petitioners have remedy against Ext.P3 before the Registrar General or such other competent authority.

3. In view of the above, the implementation of Ext.P3 shall be kept in abeyance for a period of six weeks to work out the review petitioners alternate remedy to challenge the decision of the District Registrar (General).

With the above directions, the review petition is disposed of. It is made clear that the implementation of Ext.P3 would depend upon any final decision to be taken by the competent authority based on the challenge against Ext.P3.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE