

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. 27 of 2015 (N)

(AGAINST THE JUDGMENT IN WP(C).NO. 1339/2014 DATED 09-10-2014)

REVIEW PETITIONER(S)/ (NOT PARTIES IN THE WRIT PETITION) :

1. BABY GOPINATH, D/O.KRISHNAN,
SECRETARY, POORNIMA KUDUMBASREE,
VELIYAMBAM.P.O., NADAVAYAL AMSOM,
WAYANAD DISTRICT.
2. SHYMA ANIL, W/O.ANIL, POORNIMA KUDUMBASREE,
VELIYAMBAM.P.O., NADAVAYAL AMSOM, WAYANAD DISTRICT.
3. RADHA KRISHNANKUTTY, W/O. KRISHNANKUTTY,
MOOLAVALLIYIL HOUSE, VELIYAMBAM.P.O., PULPALLY,
WAYANAD DISTRICT.

**BY SRI.T.SETHUMADHAVAN,SENIOR ADVOCATE
ADVS. SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR
SMT.VANDANA MENON**

RESPONDENT(S)/ (PETITIONERS 1 & 2 AND RESPONDENTS 1 TO 5 IN WPC) :

1. SNEHA VANITHA SWASRAYA SANGHOM,
KOLARATTUKUNNU, VELIYAMBAM.P.O.,
WAYANAD DIST, REP. BY ITS SECRETARY,
JINI THOMAS, W/O. THOMAS, RESIDING AT VALLIKKATTUPARAMBIL,
WAYANAD DISTRICT.
2. MARY JOSE, AGED 52 YEARS, W/O.JOSE,
RESIDING AT PALAKKATTU VEEDU, NADAVAYAL VILLAGE,
SULTHAN BATHERY TLK, VELIYAMBAM.P.O., WAYANAD DISTRICT.
3. THE DISTRICT COLLECTOR, WAYANAD, CIVIL STATION,
KALPETTA, WAYANAD DISTRICT-673 121 (R1)
4. THE SECRETARY, DISTRICT PANCHAYATH, WAYANAD,
KALPETTA, WAYANAD DISTRICT-673 121 (R2)
5. THE DISTRICT LEVEL CO-ORDINATION COMMITTEE
(DLCC) OF WAYANAD DISTRICT GENDER DEVELOPMENT PROGRAMME,
DISTRICT PLANNING OFFICE, KALPETTA, WAYANAD DIST-673 121,
REPRESENTED BY ITS SECRETARY. (R3)

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6. THE FINANCE OFFICER,
COLLECTORATE, CIVIL STATION,
KALPETTA, WAYANAD- 673 121 (R4)
7. THE GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE,
WAYANAD, MUTTIL.P.O., WAYANAD DISTRICT-673 121 (R5)

R1 & R2 BY ADV. SRI.MATHEW KURIAKOSE
R3, R5 TO R7 BY SR GOVERNMENT PLEADER SRI.M.A.FAYAZ
R4 BY SRI.GRASHIOUS KURIAKOSE,SENIOR ADVOCATE

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

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APPENDIX

PETITIONER'S ANNEXURES:

**ANNEX A COPY OF THE COUNTER AFFIDAVIT FILED BY THE 4TH RESPONDENT
HEREIN IN I.A.25/2013 IN O.S.141/2013 ON THE FILE OF MUNSIFF
MAGISTRATE COURT, SULTHAN BATHERY DATED 12/8/2014.**

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

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A.MUHAMED MUSTAQUE, J.

R.P.No.27 of 2015

in

W.P.(C) No.1339 of 2014

Dated this the 12th day of January, 2015

ORDER

The review petition is filed by third parties after obtaining leave. Their grievance is that they have filed civil suit before the Munsiff-Magistrate Court, Sulthan Bathery as O.S.No.141/2013 against disbursement of the amount due under the Western Ghat Development Programme. The review petitioners submit that the above suit is pending. It is further submitted that they were not made parties to the writ petition without any reason. Accordingly, the review petitioners seek to review the judgment.

This Court by taking note of the fact of disputes between the members of the Society directed the Secretary of the Society to obtain release of the amount from the District

Panchayath-4th respondent. The review petitioners submit that there is no safeguard to protect their interest in the matter. I am of the view that in such situation, the interest of the review petitioners can be safeguarded by following directions:

1. The 4th respondent (2nd respondent in the writ petition) shall release the amount in the name of the Secretary of the Society (1st petitioner in the writ petition) without any delay.
2. The Secretary shall deposit the amount so received from the District Panchayath in fixed deposit in any nationalized bank.
3. The amount can be appropriated by the parties based upon the directions of the civil court. The parties are at liberty to

approach the civil court from interim
direction to appropriate the amount.

4. If such application is filed, the civil court
shall pass appropriate orders within a
period of four weeks of moving of such
application.

With the above clarification, the review petition is
disposed of.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE

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