

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU**

**TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936**

**RP.No. 94 of 2015**  
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**WP(C) 26399/2014 OF THIS HONOURABLE COURT.**  
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**REVIEW PETITIONER/PETITIONER IN WPC NO. 26399/2014:**  
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**GIREESH KUMAR, AGED 39 YEARS  
S/O. REGHUNATHAN PILLAI, GAURI BHAVANAM,  
KOTTAMKARA, CHANDANATHOPE P.O.,  
KOLLAM DISTRICT, NOW WORKING AT AKTOR,  
POST BOX NO. 9213, DOHA, QATAR,  
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER  
SHYNI, AGED 30 YEARS, D/O. SARASWATHY AMMA,  
GAURI BHAVANAM, KOTTAMKARA,  
CHANDANATHOPE P.O., KOLLAM DISTRICT.**

**BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL**

**RESPONDENT(S)/RESPONDENTS IN THE WPC:**  
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- 1. STATE OF KERALA, REPRESENTED BY  
SECRETARY TO GOVERNMENT,  
LOCAL SELF GOVERNMENT DEPARTMENT,  
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. DEPUTY DIRECTOR OF PANCHAYATH,  
OFFICE OF THE DEPUTY DIRECTOR,  
KOLLAM - 691 001.**
- 3. THAHASILDHAR, KOLLAM - 691 001.**
- 4. KOTTAMKARA GRAMA PANCHAYATH,  
REPRESENTED BY ITS SECRETARY,  
KUTTICHIRA, PKMC P.O., KOLLAM - 691 001.**

**R1 TO R3 BY GOVERNMENT PLEADER SMT.C.K.SHERIN  
R4 BY ADV. SRI.PRATHEESH.P**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION  
ON 03-02-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**mbr/**

RP No. 94 of 2015  
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**APPENDIX**

**PETITIONER'S ANNEXURES:**  
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**ANNEXURE A1 :** TRUE COPY OF THE DECISION ASHARAF VS ERAMALA GRAMA  
PANCHAYATH 2013(3) KLT 323.

**ANNEXURE A2 :** TRUE COPY OF THE DECISION MOHAMMED ABDUL BASHEER  
VS. STATE OF KERALA 2013(3) KLT 86.

**RESPONDENT'S ANNEXURES:** - NIL  
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**/TRUE COPY/**

**P.A. TO JUDGE**

**mbr/**

**DAMA SESHADRI NAIDU, J.**

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**R.P. No. 94 of 2015**  
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Dated this the 03<sup>rd</sup> day of February, 2015

**ORDER**

Initially, the writ petition was disposed of in the light of the ratio laid down by this Court in earlier cases. While transcribing the judgment, instead of the decision cited by the petitioner in the writ petition, a decision which seems to be unrelated to the issue has been mentioned as the ratio. Under those circumstances, the petitioner filed the present review petition.

2. I see an error apparent on the face of the record inasmuch as the judgment having no relevance has been quoted as the binding precedent, instead of the one which actually has relevance. Under these circumstances, the review petition is allowed, directing the Registry to issue a modified judgment incorporating the decision **Asharaf v. Eramala Grama Panchayat** [2012 (3) KLT 323] in the

place of the decision already stood reflected in first paragraph of the judgment.

**DAMA SESHADRI NAIDU  
JUDGE**

DMR/-