

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

RP.No. 167 of 2015 (Y) IN WP(C).10998/2014

AGAINST THE ORDER/JUDGMENT IN WP(C) 10998/2014 of HIGH COURT OF
KERALA DATED 06-11-2014
REVIEW PETITIONER(S)/4TH RESPONDENT:

PAILO P.JACOB,
(WRONGLY SHOWN IN THE WRIT PETITION AND IN
THE JUDGMENT AS PICO) VATTAKUNNEL PULICKAL,
ERAYILKADAVU, KOTTAYAM.

BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZH

RESPONDENT(S)/PETITIONER & RESPONDENTS 1 TO 3:

1. JOHN CHANDY,
S/O.CHANDY JOHN, VATTAKUNNEL PULICKAL, ERAYILKADAVU
KOTTAYAM.

2. THE LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM.

3. THE DISTRICT COLLECTOR,
KOTTAYAM.

4. THE DEPUTY TAHSILDAR (LR)
KOTTAYAM.

R BY GOVERNMENT PLEADER SRI.M.A.FAYAZ (SR.)
R BY SRI.M.J.THOMAS

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 23-
03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

A.MUHAMED MUSTAQUE, J.

**R.P. No. 167 OF 2015 in
W.P.(C) NO.10998 OF 2014**

Dated this the 23rd day of March, 2015

O R D E R

Aggrieved by the direction of this Court to the first respondent in the writ petition to take appropriate action in accordance with the Land Conservancy Act, the review petition is filed at the instance of the 4th respondent in the writ petition. The petitioner submits that the Land Revenue Commissioner is now proceeding with the hearing of the matter, but, he is not a competent officer to hear the matter. The Land Revenue Commissioner is only an appellate authority and, therefore, proceedings now initiated pursuant to the direction of this Court is illegal.

2. I have heard the learned counsel for the review petitioner, the writ petitioner and also the learned Government Pleader. I am of the view that the proceedings shall be initiated by the District Collector, Kottayam under the Land

Conservancy Act against the 4th respondent/review petitioner in the writ petition or any other person. In view of the above, all the files relating to this case shall be transmitted to the District Collector, Kottayam. The review petitioner and writ petitioner shall appear before the District Collector on 8/4/2015 at 11 a.m. On appearance, the entire proceedings shall be concluded after hearing the review petitioner and the writ petitioner and any other affected person within a further period of two months thereafter.

The review petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/True copy/ PS to Judge.

A.MUHAMED MUSTAQUE, J.

**R.P. No.167 OF 2015 in
W.P.(C) No.10998 of 2014**

Dated this the 12th day of March, 2015

O R D E R

It is submitted that the review petitioner is a physically disabled person and is unable to travel to Thiruvananthapuram for hearing before the Land Revenue Commissioner, Thiruvananthapuram. The Review Petitioner shall take up this matter before the Land Revenue Commissioner in order to transfer the matter before the District Collector, Kottayam. That request is made necessarily after adverting to necessary facts, that shall be considered by the Land Revenue Commissioner.

Post on 17/3/2015.

H/O copy of this order to the learned Government Pleader.

**A.MUHAMED MUSTAQUE,
Judge.**

R.P.No.167/2015

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dpk