

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN  
&  
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

RP.No. 175 of 2015 () IN WP(C).34686/2014

-----  
AGAINST THE JUDGMENT IN WP(C) 34686/2014 of HIGH COURT OF KERALA  
DATED 30.1.2015  
-----

REVIEW PETITIONER(S) :-  
-----

JOHN MATHEW, VELIYATH, KODUMON P.O., ADOOR  
PATHANAMTHITTA DISTRICT - 691 555.

BY ADVS.SRI.K.P.RAJEEVAN  
SRI.VINU SASIDHARAN  
SRI.MATHEW JOHN (JMA)

RESPONDENT(S) :-  
-----

1. THE STATE OF KERALA REPRESENTED BY ITS SECRETARY  
HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. THE SUB INSPECTOR OF POLICE  
KODUMON POLICE STATION, KODUMON P.O.  
PATHANAMTHITTA DISTRICT, PIN - 691 555.
3. THE DISTRICT POLICE CHIEF, PATHANAMTHITTA, PIN - 689 645.
4. THE DISTRICT COLLECTOR, PATHANAMTHITTA - 689 645.
5. THE REVENUE DIVISIONAL OFFICER, ADOOR - 691 523.
6. THE SURVEY SUPERINTENDENT, PATHANAMTHITTA - 689 645.
7. THE VILLAGE OFFICER, KODUMON, KODUMON P.O - 691 555.
8. RAJU, S/O. KUNJUKUNJU, IKKADUVILAYIL (KUZHIKKOTTU KIZHAKKETHIL)  
KODUMON EAST P.O., ADOOR, PATHANAMTHITTA DISTRICT - 691 555.
9. GOPALAN, S/O. ADICHAN, KULATHINAL VADAKKEKARA  
KODUMON EAST P.O., ADOOR, PATHANAMTHITTA DISTRICT - 691 555.

R1-R7 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN  
R8 & R9 BY ADVS. SRI.R.HARIKRISHNAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 20-02-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**ASHOK BHUSHAN, Ag. C.J &  
A.M. SHAFFIQUE, J.**

-----  
**Review Petition No.175 of 2015  
in  
W.P.(C) No.34686 of 2014**  
-----

**Dated this the 20<sup>th</sup> day of February 2015**

**O R D E R**

**Shaffique, J.**

This review petition has been filed by the petitioner seeking to review of the judgment dated 30.1.2015 in W.P.(C) No.34686 of 2014. The only contention urged by the review petitioner/ petitioner is that there is a finding that the property belongs to the Government. In fact, we intended that a contention has been raised by the Government that the property belongs to the Government.

In the result, the 3<sup>rd</sup> sentence in paragraph 7 of the judgment dated 30.1.2015 in W.P.(C) No.34686 of 2014 shall be read as under :-

"However, since the Government has a contention that the property belongs to the Government, it is for the Government to take necessary action to protect the same from further encroachment."

This review petition is allowed to the above extent.

**Sd/-  
ASHOK BHUSHAN  
Ag. CHIEF JUSTICE**

**Sd/-  
A.M. SHAFFIQUE  
JUDGE**