

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

RP.No. 223 of 2015 (Y) IN WP(C).33397/2014

AGAINST THE ORDER/JUDGMENT IN WP(C) 33397/2014 of HIGH COURT OF
KERALA DATED 11-12-2014

REVIEW PETITIONER(S)/5TH RESPONDENT IN W.P.(c):

DR.V.B.VIJAYAKUMAR, SREE VARSHA,
NANNATTUKAVU, POTHENKODE PO,
THIRUVANANTHAPURAM - 695584.

BY ADVS.SRI.N.SUKUMARAN (SR.)
SRI.S.SHYAM
SRI.N.K.KARNIS

RESPONDENT(S)/PETITIONER AND RESPONDENTS 1 TO 3 IN W.P.(C):

1. DR.STANLEY JONES V, AGED 62 YEARS, S/O. VETHANAYAGAM,
VAITHER, RESIDING AT T.C. 36/1917-3, NEAR BANK OF BARODA,
ENCHAKKAL JUNCTION, THIRUVANANTHAPURAM - 695 008.
2. UNION OF INDIA, REPRESENTED BY ITS SECRETARY TO
GOVERNMENT OF INDIA,
MINISTRY OF HEALTH AND FAMILY WELFARE DEPARTMENT OF AYUSH,
RED CROSS BUILDING, NEW DELHI 110001.
3. CENTRAL COUNCIL OF INDIAN MEDICINE, 61-65,
INSTITUTIONAL AREA, JANAKPURI, NEW DELHI- 110058,
REPRESENTED BY ITS SECRETARY.
4. TRAVANCORE COCHIN MEDICAL COUNCILS,
COMBINED COUNCIL BUILDING, RED CROSS ROAD,
THIRUVANANTHAPURAM - 695035.
5. RETURNING OFFICER, CENTRAL COUNCIL OF INDIAN MEDICINE
ELECTION - 2011, COMBINED COUNCIL BUILDING,
RED CROSS ROAD, THIRUVANANTHAPURAM 695584.

R BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R BY SRI.N.RAGHURAJ
R BY SRI.C.UNNIKRISHNAN (KOLLAM)

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 12-
03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.P. NO.223/2015

APPENDIX

PETITIONER'S EXHIBITS:

ANNEXURE A1: COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 18/6/2012.

ANNEXURE A2: COPY OF THE JUDGMENT DATED 7/3/2014 IN W.P.(C)
NO.15178/2012 OF THE HON'BLE HIGH COURT OF KERALA.

ANNEXURE A3: COPY OF THE JUDGMENT DATED 21/8/2014 PASSED IN W.A.
NO.529/2014 OF THE HONOURABLE HIGH COURT OF KERALA.

ANNEXURE A4: COPY OF THE ORDER PASSED IN SLP NO. 26641/2014 ATED
13/10/2014 OF THE HON'BLE SUPREME COURT OF INDIA.

/TRUE COPY/

P.S. TO JUDGE.

A.MUHAMED MUSTAQUE, J.

**R.P. No. 223 OF 2015 in
W.P.(c) No.33397 OF 2014**

Dated this the 12th day of March, 2015

O R D E R

The review petitioner is the 5th respondent in the writ petition. Aggrieved by the direction in the judgment of this Court directing the 4th respondent in the writ petition to consider Ext.P2 and take a decision thereon after hearing the writ petitioner and him, he preferred this review petition. The review petitioner's case is that based on the judgment in an earlier round of litigation, such right accorded to the writ petitioner and by virtue of some of the decisions, the objection now raised by the writ petitioner was not entertainable. However, pursuant to the direction of this Court, the objection was entertained and thereafter the same was overruled. The review petitioner apprehends that the direction of this Court would give right on the petitioner to re-agitate the entire issue which was concluded.

2. In view of the above facts, it is made clear that the

direction of this Court can only be understood in the light of the earlier judgment of this Court and that if any right of the writ petitioner to raise objection has been concluded in relation to dispute with the 5th respondent-review petitioner, necessarily that right would not be taken away while determining any issues pursuant to the directions of this Court in the judgment in the writ petition.

With the above clarification, the Review Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE,

Judge.

dpk

/true copy/ PS to Judge.

