

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

&

THE HONOURABLE MRS. JUSTICE MARY JOSEPH

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

RP.No. 354 of 2015 (C) IN LA.App. No.1052/2007

AGAINST THE JUDGMENT IN L.A.App.No. 1052/2007 of HIGH COURT OF KERALA
DATED 23/10/2009

REVIEW PETITIONER(S)/RESPONDENT:

KARTHIKEYA PILLAI
MANGALATHU PILLAPPUZHA, HARIPAD

BY ADV. SRI.R.RAMADAS

RESPONDENT(S)/APPELLANT:

STATE OF KERALA

BY GOVERNMENT PLEADER SMT.ANEETHA RAVEENDRAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 25-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.SURENDRA MOHAN & MARY JOSEPH, JJ.

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R.P No.354 of 2015 in
L.A.A No.1052 of 2007

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Dated this the 25th day of May, 2015

ORDER

Surendra Mohan,J.

The petitioner seeks review of the judgment dated 23.10.2009 in L.A.A No.1052 of 2007, pointing out that the said judgment was rendered on the basis of a wrong submission made by the Government Pleader, who had represented the matter at that time. We notice from the judgment sought to be reviewed that the senior Government Pleader had pointed out before the court at that time that the judgment in L.A.A No.1311 of 2007 and two other appeals had been interfered with by this Court and reduced the land value that was fixed. The reduced land value was Rs.18,404/-. On the basis of the above submission, the land value in the present case was also interfered with and reduced to Rs.18,404 per Are. The counsel for the review petitioner has handed over to us, the judgment in L.A.A No.1311 of 2007. We

notice from the judgment that this Court had dismissed the said appeal along with L.A.A No.1186 of 2007, refusing to interfere with the land value awarded. We are therefore, satisfied that there is an error apparent on the face of the record justifying a review of the judgment.

In view of the above, this review petition is allowed. The judgment dated 23.10.2009 in L.A.A No.1052 of 2007 is reviewed and set aside. The Registry shall post L.A.A No.1052 of 2007 before the court hearing Land Acquisition Appeals, for further orders, next week.

Sd/-
K.SURENDRA MOHAN, JUDGE

Sd/-
MARY JOSEPH, JUDGE