

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

RP.No. 427 of 2015 () IN FAO (RO).280/2014

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AGAINST THE ORDER/JUDGMENT IN FAO (RO) 280/2014 of HIGH COURT OF
KERALA DATED 10-12-2014
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REVIEW PETITIONER(S)/RESPONDENTS 1 & 2:

- 1. STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR,
KANNUR.**
- 2. THE DIRECTOR
EMPLOYMENT AND TRAINING, THAYCAUD
THIRUVANANATHAPURAM.**

BY ADV.SRI.P.K.ABDUL RAHMAN, GOVERNMENT PLEADER

RESPONDENT(S)/APPELLANT & RESPONDENTS 3 TO 7:

- 1. MADAYI THIRUVARKATTUKAVU DEVASWOM
REPRESENTED BY ITS EXECUTIVE OFFICER
CHIRAKKAL KOVILAKOM DEVASWOM'S OFFICE, P.O.CHIRAKKAL
KANNUR-670 011.**
- 2. SMT.ITTAMMALILLATH KIZHAKINIYIL SUBHADRA AMMA
D/O.KUNTHI DEVI, W/O.LATE KESAVA PIDARAR
NO OCCUPATION
RESIDING AT MUNDAYI AMSOM DESOM-670 304.**
- 3. SMT.PARVATHI
W/O.SATHYAMURTHI, MEETHALAI MADOM ILLAM
EDANCHERRY KANIYANVALLY VADAKARA-673 101.**
- 4. SMT.CHANDRAMATHI
W/O.T.I.VASUDVAN, THAYYIL ILLAM, KALARIVATHUKKAL
VALAPATTANAM, KANNUR DISTRICT-670 010.**
- 5. SMT.RAJALAKSHMI
W/O.VASUDEVAN, THAZHATHE ILLATHU, KIZHAKKINIYIL
MADAYI AMSOM, DESOM-670 304.**
- 6. SRI.RAJENDAN
S/O.SUBHADRA AMMA, MADAYI, AMSOM
DESOM-670 304.**

**R1 BY SRI.MAHESH V RAMAKRISHNAN
R2 to R6 BY SRI.M.SASINDRAN**

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 03-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

K.ABRAHAM MATHEW, J

R.P.NO.427 OF 2015
IN
FAO(RO) 280 OF 2014

Dated this the 2nd day of September, 2015

O R D E R
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Respondents 1 and 2 in the appeal, who are dependants 1 and 2 in the suit, have filed this petition to review the judgment passed by this court on 10.12.2014. The suit was dismissed by the trial court. In appeal the learned District Judge remanded the matter with a direction to the appellant/plaintiff to take steps to get 300 acres of land claimed by him identified and also to get the property covered by Exts. B1 and B2 identified with reference to available documents and the lower court was directed to decide the case afresh. This court by the judgment which is sought to be reviewed allowed the appeal in part. Clarifying that the trial court was free to decide whether it was necessary to identify 300 acres before the identity of the property claimed in the suit is established.

2. Heard.

3. A perusal of the grounds stated in the review petition shows that the petitioner has no case that there is an error apparent on the face of the record. In fact, this court has not taken a decision as to the identity of the property. It has given a free hand to the trial court to decide whether measurement of 300 acres is necessary. The petitioner need not be aggrieved by the clarification. So in my view this review petition is not maintainable.

In the result, this petition is dismissed.

sd/-  
**K.ABRAHAM MATHEW,**  
**JUDGE**

R.AV

//TRUE COPY//

PA TO JUDGE