

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

RP.No. 651 of 2015 IN OP(C).767/2015

AGAINST THE JUDGMENT IN OP(C) 767/2015 of HIGH COURT OF KERALA
DATED 07.04.2015

PETITIONER/PETITIONER:

C.M.ABDULKHADER, AGED 55 YEARS,
R/AT CHIRAYATH HOUSE, 2ND MILE, PALLIVASAL VILLAGE,
DEVIKULAM TALUK, IDUKKI DISTRICT.

BY ADV. SRI.S.JIJI

RESPONDENTS/RESPONDENTS:

1. THE ADDITIONAL TAHASILDAR,
TALUK OFFICE COMPLEX, DEVIKULAM P.O.
DEVIKULAM - 685 613.
2. THE VILLAGE OFFICER,
PALLIVASAL VILLAGE OFFICE, 2ND MILE, PALLIVASAL,
IDUKKI - 685 612.

BY GOVERNMENT PLEADER SMT.LILLY LESLIE.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
03-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.BHAVADASAN, J.

**Review Petition No.651 OF 2015 IN
O.P.(C) No.767 OF 2015**

Dated this the 3rd day of August, 2015.

O R D E R

This review petition is directed against the order dated 07.04.2015 in O.P.(C) No.767/2015 whereby this Court disposed of the petition observing that the Munnar Tribunal concerned shall follow the proceedings under the Act in respect of the matter transferred to it from the RDO's Court in which the petitioner is the appellant.

2. Review is sought on the ground that the petitioner has filed a petition under the Land Conservancy Act and going by Rule 7 of the Land Conservancy Rules, he is eligible to get the property assigned in his name and further proceedings are to be discontinued. It is therefore contended that in the light of the said provision, provisions of Act 13 of 2010 shall not have any effect and the proceedings are to be kept in abeyance.

3. The argument has no foundation or basis at all.

Section 4 of Act 13 of 2010 reads as follows:

"4. Transfer of disputes to the Tribunal.- Notwithstanding anything contained in any other law for the time being in force or order, decree or judgment, all disputes in respect of Munnar area pending before any Court or any other authority except the High Court and the Supreme Court shall stand transferred to the Tribunal immediately on the constitution of the Tribunal under this Act".

It has an overriding effect. In the light of the above provision, the contention raised by the petitioner is without any basis or merit.

This review petition is accordingly dismissed.

Sd/-

**P.BHAVADASAN
JUDGE**

smp

// True copy //

P.A to Judge