IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

RP.No. 722 of 2015
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AGAINST THE JUDGMENT IN W.P.(C).NO.21476 OF 2015(H), DATED 20.07.2015
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REVIEW PETITIONER(S)/WRIT PETITIONER :
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M.D.JOHNSON,
F/O.JOBIN DANIEL JOHNSON, MANALOOR HOUSE, MUTHOOR,
THIRUVALLA, PATHANAMTHITTA-689 107.

BY ADV. DR.K.P.PRADEEP

RESPONDENT(S)/RESPONDENTS :
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1. STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY
TO REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

2. TAHSILDAR,
TALUK OFFICE, DEPARTMENT OF REVENUE,
GOVERNMENT OF KERALA, THIRUVALLA,
PATHANAMTHITTA DISTRICT-689 107.

3. REVENUE DIVISIONAL OFFICER,
DEPARTMENT OF REVENUE, GOVERNMENT OF KERALA,
THIRUVALLA, PATHANAMTHITTA DISTRICT-689 107.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 07-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Msd.

**A.MUHAMED MUSTAQUE, J.**
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**Review Petition No.722 of 2015**
**--------------------------------**
**Dated this the 7th day of September, 2015.**

**<u>O R D E R</u>**

The judgment in W.P.(C) No.21476/15 is sought to be reviewed in this petition, since in that judgment, this Court has relied on Section 5(2) of the Building Tax Act. In fact, as rightly pointed out by the learned counsel for the petitioner, Section 5(2) has been stuck down by the Division Bench of this Court. It is to be noted that, this Court had referred to an explanation attached to Section 5 of the Building Tax Act. Accordingly, the judgment is reviewed and reference to Section 5(2) in the judgment has been deleted. The judgment of this Court shall be considered after adverting to the explanation to Section 5. In that view of the matter, this Court is of the view that, the petitioner shall appear before the Officer concerned on 17.9.2015.

Sd/-
**A.MUHAMED MUSTAQUE,**
**Judge.**

ami/

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P.A.to Judge