

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

RP.No. 739 of 2015 (B)

JUDGMENT DATED 06-08-2015 IN WP(C) 21613/2015.

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REVIEW PETITIONER/PETITIONER:

**JOY K.MATHEWS, AGED 53 YEARS,
S/O.K.K.MATHAI, KOTTAMKOLIL HOUSE,
KADAYIRUPPU P.O., ERNAKULAM DISTRICT.**

**BY ADVS.SRI.T.O.XAVIER
SMT.V.SETHUKUTTY AMMA**

RESPONDENT(S)/RESPONDENTS:

- 1. INTUC UNION, KOLLENCERRY UNIT,
REPRESENTED BY SECRETARY, E.K.KURIAN,
ITTIPOTTAKKAL HOUSE, PERINGOL,
KOLENCERRY P.O.-682311.**
- 2. CITU UNION, KOLENCERRY UNIT,
REPRESENTED BY SECRETARY,
N.V.KRISHNANKUTTY, NEDUMPARAMBIL HOUSE,
KINGINIMATTOM P.O., KOLENCERRY-682311.**
- 3. SUB INSPECTOR OF POLICE,
KUNNATHUNAD POLICE STATION,
P.O.PATTIMATTOM-683582.**
- 4. CIRCLE INSPECTOR OF POLICE,
KUNNATHUNAD POLICE STATION,
P.O.PATTIMATTOM-683582.**
- 5. STATE OF KERALA,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001,
REPRESENTED BY CHIEF SECRETARY.**

RPNo. 739 of 2015 (B)

***ADDL. R6 IMPEADED**

**6. KERALA HEAD LOAD WORKERS WELFARE BOARD,
ERNAKULAM DISTRICT COMMITTEE,
PUTHENCROUZ SUB OFFICE,
GOVT. SERVANTS CO-OPERATIVE SOCIETY BUILDING
P.O - 682 308, REPRESENTED BY CHAIRMAN.**

**ADDL. R6 IS IMPEADED AS PER ORDER
DATED 25.09.2015 IN IA.345/2015.**

**R1 & R2 BY SRI.K.S.ARUN KUMAR
R3 TO R5 BY SENIOR GOVT. PLEADER SRI.C.R.SYAMKUMAR
ADDL.R6 BY ADV. SRI.V.E.ABDUL GAFOOR**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 25-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONERS' ANNEXURES:

- ANNEXURE 1: A TRUE COPOY OF THE LETTER DATED 29.7.2015.
- ANNEXURE 1(A): TRUE COPY OF ENGLISH TRANSLATION OF ANNEXURE 1.
- ANNEXURE 2 : TRUE COPY OF THE REPLY BEARING NO.E384/09
DATED 7.8.2015 UNDER RIGHT TO INFORMATION ACT.
- ANNEXURE 2(A): TRUE COPY OF ENGLISH TRANSLATION OF ANNEXURE 2.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

R.P.No.739 of 2015 in
W.P.C.No.21613 of 2015

Dated this the 25th day of September 2015

ORDER

Shaffique, J

This review petition has been filed seeking to review the judgment dated 06/08/2015 in W.P.C.No.21613 of 2015. The learned counsel for the review petitioner submits that though the area in question is not a scheme covered area, this Court had proceeded on the basis that it is a scheme covered area.

2. Learned counsel appearing for the additional 6th respondent, Kerala Head Load Workers Welfare Board submits that the area in question is not a scheme covered area. Since, in the impugned judgment we have proceeded on the basis that the area is a scheme covered area, being a factual error which is apparent on the face of the record, we

are of the view that the judgment is liable to be reviewed and accordingly we allow the review petition and recall the judgment dated 06/08/2015 in W.P.C.No.21613/2015.

Post the writ petition for hearing on 05/10/2015.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr/26/09/2015

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