

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

RP.No. 755 of 2015 ()

AGAINST THE JUDGMENT IN WP(C).NO.28495/2014 DATED 25-06-2015.
.....

REVIEW PETITIONER/PETITIONER:

**TOMY GEORGE, AGED 53 YEARS,
S/O.LATE GEORGE THOMAS, KAITHACKAL HOUSE,
PINDIMANA, KOTHAMANGALAM, ERNAKULAM DISTRICT.**

BY ADV. SRI.V.PHILIP MATHEW.

RESPONDENTS/RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
KERALA GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.**
- 2. DISTRICT COLLECTOR, CIVIL STATION,
KAKKANAD, ERNAKULAM -682 030.**
- 3. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
KOTHAMANGALAM, ERNAKULAM DISTRICT 686 666.**
- 4. PINDIMANA GRAMA PANCHAYAT,
PINDIMANA P.O., ERNAKULAM DISTRICT- 686 692
REPRESENTED BY ITS SECRETARY.**
- 5. THE SECRETARY,
PINDIMANA GRAMA PANCHAYAT, PINDIMANA P.O.,
ERNAKULAM DISTRICT -686 692.**

R1 TO R3 BY GOVT. PLEADER SRI.BIJU MEENATTOOR.

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 11-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

RPNo. 755 of 2015

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE 1 COPY OF THE RECEIPT DATED 04/11/2014 ISSUED FROM THE
VILLAGE OFFICE, PINDIMANA.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

R.P.No.755 of 2015

in

W.P.(C) No.28495 of 2014

Dated this the 11th day of November, 2015

ORDER

This review petition is filed by the writ petitioner. This Court set aside the impugned demand in the judgment. However, the petitioner points out at the time of admission, the petitioner was directed to deposit Rs.10,000/- as part of conditional stay. The petitioner submits that he had deposited the amount as per the interim directions. Therefore, this Court ought to have ordered the refund of Rs.10,000/- while disposing the writ petition.

In view of the fact that the demand was found illegal, the amount paid by the petitioner pursuant to the interim direction shall be refunded to the petitioner by the competent among respondents. The petitioner shall produce the receipt of payment before the competent among respondents for refund. Needful shall be done within a period of one month from the date of receipt of a copy of this order.

The review petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In