

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

RP.No. 795 of 2015 () IN WP(C).16449/2015

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AGAINST THE JUDGMENT IN WP(C) 16449/2015 of HIGH COURT OF KERALA
DATED 07-07-2015**

REVIEW PETITIONER(S)/PETITIONER:

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T.V.CHANDRA BOSE, AGED 48 YEARS
S/O. VELAYUDHAN, RESIDING AT THURTHIPPALLIL HOUSE
KIZHAKKANMATTOM PO, MELUKAVU, KOTTAYAM DISTRICT**

BY ADV. SRI.C.K.PAVITHRAN

RESPONDENT(S)/RESPONDENTS:

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- 1. THE DISTRICT COLLECTOR & DISTRICT MAGISTRATE
CIVIL STATION, KOTTAYAM 686001**
 - 2. THE ADDITIONAL DISTRICT MAGISTRATE
CIVIL STATION, KOTTAYAM 686001**
 - 3. THE TAHSILDAR
MEENACHIL TALUK, KOTTAYAM DISTRICT 686577**
 - 4. THE SUB INPSECTOR OF POLICE
MELUKAVU, KOTTAYAM DISTRICT 686652**

R BY GOVERNMENT PLEADER SMT. A. LOWSY

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

// TRUE COPY //

P. A TO JUDGE

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K. VINOD CHANDRAN, J.

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**R.P No. 795 of 2015 in
W.P.(C) No.16449 of 2015**

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Dated this the 28th day of September, 2015

ORDER

The petitioner has filed the review on the ground that it was mistakenly submitted that there was an appeal filed and hence the judgment has to be reviewed. However, it is evident that Ext.P3 is an appealable order.

2. In such circumstance, this Court is not inclined to exercise its discretionary remedy under Article 226 of the Constitution of India to consider the sustainability of Ext.P3, when there is an alternate remedy available. The petitioner definitely will have to move the appeal as provided under the statute.

The review petition is hence allowed, and the writ petition is allowed directing the petitioner to file an appeal if so advised, within two weeks from the date of receipt of a certified copy of this judgment.

Sd/-
**K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //
P.A to Judge.