

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

RP.No. 897 of 2015 (H) IN WP(C).24279/2015

IN WP(C) 24279/2015 of HIGH COURT OF KERALA

REVIEW PETITIONER(S)/3RD RESPONDENT:

NELLANADU GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY K.V.SURESH,
AGED 47 YEARS, S/O.K.VELAYUDHAN PILLAI,
OFFICE OF THE NELLANADU PANCHAYATH, VENJARAMOODU,
THIRUVANANTHAPURAM.

BY ADV. SRI.THIRUMALA P.K.MANI.

RESPONDENT(S)/PETITIONER/RESPONDENTS 1 TO 4 & 5:

1. SAINULABDEEN,
SHEEJA MANZIL, MUDRAKKAL, NELLANADU VILLAGE,
VENJARAMOODU, NEDUMANGADU TALUK, THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM -695 001.
3. THE REVENUE DIVISIONAL OFFICER,
THIRUVANANTHAPURAM -695 001.
4. THE AGRICULTURAL OFFICER,
KRISHI BHAVAN, NELLANADU, VENJARAMMOODU P.O.,
THIRUVANANTHAPURAM -695 607.

BY GOVERNMENT PLEADER SRI. SOJAN JAMES

BY ADV. SRI.D.KISHORE

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON
15-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' ANNEXURES :

ANNEXURE 1 TRUE COPY OF THE MEMORANDUM OF APPEAL NO.792/2015 FILED BY THE
1ST RESPONDENT BEFORE THE TRIBUNAL FOR LOCAL SELF GOVERNMENT,
THIRUVANANTHAPURAM.

RESPONDENT(S) ' ANNEXURES :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V.RAMAKRISHNA PILLAI, J

R.P.No.897/2015 in
WPC No.24279 of 2015

Dated this the 15th day of October, 2015

Order

The review petitioner is the third respondent in the writ petition.

2. This Court as per judgment dated 11.8.2015 vacated the stay order passed on Ext.P8. According to the review petitioner, the judgment was passed without hearing them. It appears from the judges papers in the writ petition that the impugned judgment was passed at the time of admission stage itself.

3. The main relief sought was for a direction to the second respondent to consider Ext.P9 representation. It was in the light of that, it was ordered that Ext.P8 be kept in abeyance.

4. Now, the learned counsel for the first respondent who is the writ petitioner would submit that the matter stands posted for hearing before the District Collector. It

was also undertaken by the learned counsel that they would not make any construction and they would allow the present state of affairs till a final decision is taken by the District Collector.

As the only apprehension of the review petitioner was that the first respondent would make construction in the light of the impugned judgment, this Court is of the view that this review petition can be closed recording the undertaking of the learned counsel for the first respondent. I do so.

**sd/- A.V.RAMAKRISHNA PILLAI
JUDGE**

css/

true copy

P.S.TO JUDGE