

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

RP.No. 577 of 2014 () IN WP(C).13163/2014

AGAINST THE JUDGMENT IN WP(C) 13163/2014 of HIGH COURT OF KERALA
DATED 26-05-2014

REVIEW PETITIONER(S)/PETITIONERS :-

1. M.M.SUBAIR, AGED 38 YEARS
MANGALATH HOUSE, MAVOODI KARA, PALLARIMANGALAM P O
KOTHAMANGALAM, ERNAKULAM DIST
2. MUHAMMED AGED 42 YEARS
S/O.SAITHU, MANIKKAL HOUSE, MAVOODI KARA
POTHANIKKAD VILLAGE, ERNAKULAM DIST

BY ADV. SRI.T.P.SANTHOSH KUMAR

RESPONDENT(S)/RESPONDENTS :-

1. SHAJAHAN, AGED 48 YEARS
S/O.PAREETH, NEDUNGAD HOUSE, MAVOODI KARA
POTHANIKKAD VILLAGE, ERNAKULAM DIST, PIN-678114
2. SALIM, AGED 50 YEARS
S/O.PAREETH, NEDUNGAD HOUSE, MAVOODI KARA
POTHANIKKAD VILLAGE, ERNAKULAM DIST, PIN-678114
3. S I OF POLICE, POTHANIKKAD POLICE STATION,
POTHANIKKAD VILLAGE, ERNAKULAM DIST, PIN-678110
4. DEPUTY SUPERINTENDENT OF POLICE
MUVATTUPUZHA, ERNAKULAM DIST, PIN-678114
5. SUPERINTENDENT OF POLICE (RURAL) ALUVA,
ERNAKULAM DIST, KALADY-682516

R1-R2 BY ADV. SRI.P.M.GIRIJAVALLABHAN

SRI.V.H.NOUFALMON

R3-R5 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 06-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

Petitioner's Exhibits :-

Annexure A1 :- True copy of the judgment in CC 356/2010 dated 31/7/2012 on the file of the Judicial First Class Magistrate Court, Kothamangalam.

Annexure A2 :- True copy of the Award passed in the Lok Adalath held on 9/2/2013 at Kothamangalam is organized by the Taluk Legal Service Committee, Kothamangalam in case No.ST 2671/2012.

Respondent's Exhibits :- NIL.

//True Copy//

P.S.to Judge

**ASHOK BHUSHAN, Ag.CJ
&
P.R.RAMACHANDRA MENON, J**

**R.P.No. 577 of 2014
in
W.P(C).No. 13163 of 2014**

Dated this the 6th March, 2015

O R D E R

Ramachandra Menon, J.

The review petition has been filed by the petitioners stating that there is an error apparent on the face of record in finalising the matter by passing the judgment dated 26.5.2014 in W.P(C).No.13163 of 2014, which was filed for police protection and came to be dismissed, based on the submission made across the Bar from the part of the learned Government Pleader. It is stated that no case was pending consideration as on the date of filing the Writ Petition. However, with reference to the submission made by the learned Government Pleader that three cases were registered against the first petitioner, interference was declined and the petition for police protection was dismissed. The petitioners' case is that in

two cases, i.e., C.C.No.356/2010 and S.T.2671/2012 the petitioners stand acquitted, though subsequently, another case came to be registered as FIR No.588/2014, which fact was not known on the date of filing the Writ Petition.

We find that the verdict was passed based on the submission made by the learned Government Pleader which stands intact. The Government Pleader only referred to registration of three different crimes and did not say that all the three cases were pending. We do not find any error apparent on the face of record. Interference is declined and the Review Petition is dismissed.

**Sd/-
ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**Sd/-
P.R.RAMACHANDRA MENON
JUDGE**

vgs