



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

THURSDAY, THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947

RP NO. 32 OF 2025

**AGAINST THE ORDER/JUDGMENT DATED IN WP(C) NO.24276 OF
2024 OF HIGH COURT OF KERALA**

REVIEW PETITIONER(S)/RESPONDENT 1 & 2:

- 1 UNION TERRITORY OF LAKSHADWEEP
REPRESENTED BY ITS ADMINISTRATOR, KAVARATTI,
LAKSHADWEEP, PIN - 682555**
- 2 THE DEPUTY COLLECTOR
2. THE DEPUTY COLLECTOR, AGATTI ISLAND, UNION
TERRITORY OF LAKSHADWEEP, PIN - 682555**

BY ADV SHRI.K.S.PRENJITH KUMAR, CGC

RESPONDENT(S)/PETITIONERS:

- 1 SHAHUL HAMEED K.K
S/O LATE SHAMSUDHEEN, KOLIKKAD HOUSE, AGATTI
ISLAND, PIN - 682553**
- 2 SHARAFUDHEEN B
S/O LATE SHAMSUDHEEN, KOLIKKAD HOUSE, AGATTI
ISLAND, PIN - 682553**

BY ADV.:

SRI. Sabu George

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
27.03.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**



P.V.KUNHIKRISHNAN, J

Review Petition No.32 of 2025

Dated this the 27th day of March, 2025

ORDER

This Review Petition is filed to review the judgment dated 05.07.2024 in WP(C) No.24276/2024.

2. This Court disposed the above writ petition with the following manner:

“The above Writ Petition is filed with the following prayers:

- (i) Call for the records relating to Ext P8, P9 and P10 and quash the same by issuing a writ of certiorari;
- ii) Issue a Writ of Mandamus or any other order or direction in the nature thereof directing KERA respondents 1 and 2 not to interfere with the peaceful and possession and enjoyment enjoyment of properties of the petitioners;



iii) Dispense the petitioners from producing the English translation of documents in Malayalam.

iv) Grant such other reliefs as this Hon'ble Court deem fit and proper on the facts and in the circumstances of the case, including the cost of this Writ Petition.

2. The impugned orders are Exts.P8 and P9. After arguing for some time, the Standing Counsel appearing for the Lakshadweep Administration submitted that, remedy of the petitioners against these impugned orders is to file a civil suit under Section 11(4) of the Laccadive, Minicoy and Amindivi Islands Land Revenue and Tenancy Regulation, 1965.

3. Heard Senior Counsel Sri.P.B.Krishnan, instructed by Sri.Sabu George, who appeared for the petitioners.

4. According to the Senior Counsel, the petitioners are in possession of the land for the last several decades. In such circumstances, since the petitioners have got a remedy against the impugned orders by filling a civil suit, I think the impugned orders can be kept in abeyance for a short time so that the



petitioners can approach the Civil Court to get appropriate orders in accordance with law.

Therefore, this Writ Petition is disposed of with the following directions:

a) Exts. P8 and P9 shall be kept in abeyance for a period of one month from today.

b) I make it clear that, I have not considered the matter on merit and the competent Civil Court can pass appropriate orders in accordance with law.

c) The petitioners are free to approach the competent Civil Court in accordance with law during the above period.”

3. Now, the review petition is filed by the Union Territory of Lakshadweep and Another stating that the submission by the Standing Counsel that the suit is maintainable is not correct. It is also submitted that the remedy is to file a statutory appeal before the District Collector.

4. Admittedly a suit is filed based on the direction in the judgment impugned in this review petition.



A preliminary issue regarding the maintainability was raised in the suit and the Civil Court found that the suit is maintainable. That is challenged by the Lakshadweep Administration before this Court and that is pending before this Court. If that be the case, this Review Petition need not be entertained. I make it clear that, I have not considered the matter on merit regarding the maintainability of the suit. That question is left open especially because the matter is pending before this Court in another proceedings.

With the above observation, this Review Petition is disposed of.

Sd/-

**P.V.KUNHIKRISHNAN,
JUDGE**

nvj