

N. Jayakumar vs State of Kerala

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Court : Kerala

Decided On : Mar-20-2024

Judge : Honourable Mr. Justice a.Muhammed Mustaque,Honourable Mrs. Justice Shoba Annamma Eapen

Appeal No. : RP/330/2024

Appellant : N. Jayakumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A.MUHAMMED MUSTAQUE & THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN WEDNESDAY, THE 20TH DAY OF MARCH 2024 / 30TH PHALGUNA, RP NO. 330 OF 2024 AGAINST THE JUDGMENT DATED 05.01.2024 IN OP(KAT) NO.40 OF 2016 OF HIGH COURT OF KERALA REVIEW PETITIONERS/PETITIONERS IN OP KAT: 1 N. JAYAKUMAR, AGED 63 YEARS, DIVISIONAL ACCOUNTANT (HIGHER GRADE) LOCAL SELF GOVERNMENT DIVISION COLLECTORATE, ALLAPPUZHA RESIDING AT PUNNOORMADAM, KARIYILAKULANGARA P O KAYAMKULAM, PIN - 690 572 2 P.R.

GOUTHAMAN, AGED 61 YEARS, DIVISIONAL ACCOUNTANT (HIGHER GRADE) IN LAND NAVIGATION DIVISION KOLLAM NOW AT S/O PARAMU, MANGALATHU ARA MUNDACKAL EAST AMRUTHAKKULAM, KOLLAM, PIN - 3 N. GIRIDHRAN NAIR, AGED 64 YEARS, DIVISIONAL ACCOUNTANT (HIGHER GRADE) KSTP DIVISION KOTTARAKKARA NOW AT S/O NARAYANAN NAIR SREESAILOM INCHAKKAD MYLOM P O KOTTARAKKARA KOLLAM, PIN - 691 560 BY ADV SADHANA KUMARI ESWARI RESPONDENTS:

1 STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, FINANCE (ESTABLISHMENT) DEPARTMENT, GOVERNMENT

SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001 2 V RADHAKRISHNAN , FINANCIAL ASSISTANT, OFFICE OF THE SUPERINTENDING ENGINEER, NH NORTH CIRCLE, ..2.. KOZHIKODE, PIN - 673 006 3 T. RADHAKRISHNAN, FINANCIAL ASSISTANT, OFFICE OF THE SUPERINTENDING ENGINEER, KIP(RB), CIRCLE, KOTTARAKKARA, PIN - 691 531 4 C.S. PREMCHAND, FINANCIAL ASSISTANT, OFFICE OF THE SUPERINTENDING ENGINEER, ROADS AND BRIDGES CENTRAL CIRCLE, ALWAYE, PIN - 683 101 5 D. SURESH, FINANCIAL OFFICER, NOW ON DEPUTATION TO BACKWARD CLASSES DEVELOPMENT CORPORATION, THRISSUR, PIN - 685 603 6 M.K. RAVI, FINANCIAL ASSISTANT, OFFICE OF THE SUPERINTENDING ENGINEER, IRRIGATION NORTH CIRCLE, KOZHIKODE, CURRENTLY SENIOR FINANCE OFFICER, COLLECTORATE, MALAPPURAM (DIED), PIN - 7 J. P. RANJAN, FINANCIAL ASSISTANT, OFFICE OF THE ENGINEER ROADS AND BRIDGES NORTH CIRCLE, KOZHIKODE, NOW A/R SEENILAYAM, KARIPUZHA P.O., MAVELIKKARA, ALAPPUZHA, PIN - 690 103

8 N. VISWANATHAN, FINANCIAL OFFICER, LABOUR COMMISSIONERAE, THIRUVANANTHAPURAM, PIN - 695 9 R. MOHANAN, FINANCIAL OFFICER, COLLECTORATE, IDUKKI, PIN -

685 603 10 T.S. SAVITHA DUTT, DIVISIONAL ACCOUNTANT, LSGD DIVISION KOLLAM, PIN - 691 001 11 P. N. MINI, DIVISIONAL ACCOUNTANT KODUNGALLOOR, PIN - 680 664 12 K.SOMANATHAN, DIVISIONAL ACCOUNTANT (HIGHER GRADE), HARBOURENGINEER DIVISION, KOLLAM, PIN - 13 THANKAMANI V.C. (ADDL. R13), W/O RAVI M.K. ..3.. (LATE), CHAITHRAM, MEDI COLLEGE HOUSING COLONY, CHERVYUR P.O., KOZHIKODE, PIN - 673 571

14 ASWATHI RAVI (ADDL.R14), ON BEHALF OF D/O THANKAMANI V.C., W/O RAVI M.K., (LATE), CHAITHRAM, MEDI COLLEGE HOUSING COLONY , CHEVYUR P.O., KOZHIKODE, PIN - 673 571 15 PARVATHI RAVI (ADDL.R15), ON BEHALF OF D/O THANKAMANI V.C., W/O RAVI M.K. (LATE) CHAITHRAM, MEDI COLLEGE HOUSING COLONY, CHEVYUR P.O., KOZHIKODE, PIN - 673 571 THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 20.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ..4..

ORDER

A. Muhamed Mustaque, J.

Annexure A8 has been pressed in service for the first time before this Court. We may not be justified in reviewing the judgment based on Annexure A8 at the distance of time. We have to remind ourselves that we are dealing with matters under Article 227 of the Constitution of India and not by way of an appeal from a tribunal. If at all any remedy is available to the parties, that can be only before the forum of first instance not before the higher forum. The review petition stands dismissed with the above observations. A.MUHAMED MUSTAQUE SHOBA ANNAMMA EAPEN PR

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