

Jaimes Joseph vs Joseph Thomas

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Court : Kerala

Decided On : May-31-2024

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : RP/552/2024

Appellant : Jaimes Joseph

Respondent : Joseph Thomas

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH FRIDAY,
THE 31ST DAY OF MAY 2024 / 10TH JYAISHTA, 1946 RP NO. 552 OF
2024 AGAINST THE JUDGMENT DATED 23.04.2024 IN WP(C)
NO.15641 OF 2024 OF HIGH COURT OF KERALA REVIEW
PETITIONER/THIRD PARTY: 1 JAIMES JOSEPH AGED 55 YEARS,
PULLICKASHERRY HOUSE, 2 JOB M.D AGED 63 YEARS,
MURIYANKAVANUNKAL HOUSE 3 BINU CHERIYAN AGED 47
YEARS, ANJALIMOOTIL HOUSE 4 MATHEW C PALLATHUMADOM
AGED 66 YEARS, MANAGER, MOTHER THERESA MEMORIAL
PUBLIC SCHOOL (CBSE) MAMOODU P.O., MADAPPALLY,
CHANGANACHERRY, KOTTAYAM, PIN - 686 536. BY ADVS. THOMAS

JACOB G.ANANTHANARAYANAN RESPONDENTS/PETITIONERS: 1 JOSEPH THOMAS AGED 72 YEARS, S/O THOMAS KALATHIL HOUSE, KURUMPANADOM P.O, MADAPPALLY VILLAGE, KOTTAYAM DISTRICT, PIN - 686 536. :2: 2 FR. ANTONY S/O THOMAS KALATHIL HOUSE, KURUMPANADOM P.O, 3 KUNJOONJAMMA CHACKO 4 JESSI MATHEW 5 JAYAMMA BASIL 6 THE DISTRICT COLLECTOR DISTRICT COLLECTORATE OFFICE, KOTTAYAM, DISTRICT, PIN - 686 001. 7 THE VILLAGE OFFICER MADAPPALLY VILLAGE OFFICE, CHANGANACHERRY TALUK, KOTTAYAM, PIN - 686 546.

8 MADAPPALLY GRAMA PANCHAYAT MADAPPALLY GRAMA PANCHAYATH, REPRESENTED BY ITS SECRETARY, MADAPALLY P.O., MADAPPALLY VILLAGE, KOTTAYAM, PIN - 686 546. 9 THE SECRETARY MADAPPALLY GRAMA PANCHAYATH, MADAPALLY P.O., MADAPPALLY VILLAGE, KOTTAYAM, PIN - 686 546. 10 THE GEOLOGIST DEPARTMENT OF MINING AND GEOLOGY, OFFICE OF THE DEPARTMENT OF MINING AND GEOLOGY, KOTTAYAM, KOTTAYAM, PIN - 686 001. :3: BY ADVS S.GOPINANTHAN, SENIOR GOVERNMENT PLEADER, FOR R6,R7 AND R10 ADHIL P., STANDING COUNSEL FOR R8 AND R9 AJITH MURALI, FOR R1 TO R5 THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 31.05.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :4:

ORDER

Dated this the 31st day of May, 2024 Third parties are in review. The review petitioners submit that the judgment in W.P.(C) No.15641 of 2024 was obtained suppressing material facts relating to the pendency of other litigations and stop memo.

2. Going through the pleadings, I find that the

limited relief granted by this Court in the judgment in W.P.(C) No.15641 of 2024 was directing the 4th respondent in the writ petition to consider Ext.P4 application for removing the red earth within a period of three weeks.

3. Counsel appearing for the writ petitioners submits that the said application was considered and rejected.

4. In view of the above facts, I do not find any

error apparent on the face of the records warranting :5: review of the judgment dated 23.04.2024 in W.P.(C) No.15641 of 2024. Therefore, the review petition is dismissed. Sd/- N. NAGARESH JUDGE AMR

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