

Trustee vs Raghunathan. K. K

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Court : Kerala

Decided On : Jul-19-2024

Judge : Honourable Mr.Justice Basant Balaji

Appeal No. : RP/703/2024

Appellant : Trustee

Respondent : Raghunathan. K. K

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE BASANT BALAJI
FRIDAY, THE 19TH DAY OF JULY 2024 / 28TH ASHADHA, 1946 RP
NO. 703 OF 2024 AGAINST THE JUDGMENT DATED 02.07.2024 IN
CON.CASE(C) NO.397 OF 2024 OF HIGH COURT OF KERALA
REVIEW PETITIONER: TRUSTEE AGED 56 YEARS, OLAPPAMANNA
MANA DEVASWOM, H.O. PALLIKURUP, PALAKKAD DISTRICT, PIN -
678582 BY ADV P.JAYARAM RESPONDENTS: 1 RAGHUNATHAN. K.
K EXECUTIVE OFFICER, SREE PANORKAVU - KANDATHARKAVU
TEMPLE, P.O. VARODE, KOTTAYI, PALAKKAD DISTRICT, PIN -
678572 2 THRIVIKRAMAN P. AGED 62 YEARS S/O LATE
SHANKARAN EMBRANTHIRI, PALAKKULAM ILLOM, SREE

NANDHANAM, P.O.KOTTAYI, PALAKKAD DISTRICT, PIN - 678572 3
BEENA THE COMMISSIONER, MALABAR DEVASWOM BOARD,
HOUSE FED COMPLEX, P.O.ERANHIPPALAM, KOZHIKODE, PIN -
673006 OTHER PRESENT: SMT.RANJANIE, SC THIS REVIEW
PETITION HAVING COME UP FOR ADMISSION ON 19.07.2024, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING: -2-

O R D E R

(Dated this the 19th day of July 2024) This Review Petition is filed by the petitioner in Con.Case

(C) No.397/2024 alleging willful disobedience of the judgment

passed by this Court in W.P.(C) No.19407/2023. On 02.07.2024, the contempt case was closed with liberty to reopen the case if necessary on the submission made by the counsel for the 3 rd respondent that a writ appeal is filed by the petitioner himself as W.A No.383/2024. The review is filed on the ground that, though a writ appeal is filed against the judgment of this Court, the contempt case stands on a different footing, and therefore, it has to be reviewed.

2. Heard the counsel for the petitioner as well as the counsel for the respondents.

3. Since the liberty was given to reopen the Contempt

Case, I am of the considered opinion that the review petition -3- has to be allowed. Therefore, the Review Petition is allowed. Con.Case (C) No.397/2024 is restored to file. Sd/- BASANT BALAJI JUDGE JS -4- APPENDIX OF RP 703/2024 PETITIONER ANNEXURES Annexure A1 COPY OF MEMORANDUM OF WRIT APPEAL IN W.A.NO.

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