

Chanthu vs State of Kerala

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Court : Kerala

Decided On : Feb-14-2022

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : RP/116/2022

Appellant : Chanthu

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH MONDAY,
THE 14TH DAY OF FEBRUARY 2022 / 25TH MAGHA, 1943 RP NO.
116 OF 2022 AGAINST THE JUDGMENT DATED 22.10.2021 IN WP(C)
24586/2020 OF HIGH COURT OF KERALA REVIEW
PETITIONER/PETITIONER: CHANTHU, AGED 74 YEARS,
S/O.MINNIYAN, MANJADI PARAMBIL HOUSE, CHELLANAM P.O.,
MARUVAKKAD, ERNAKULAM DIST., PIN - 682 008. BY ADVS.
LIJU.V.STEPHEN INDU SUSAN JACOB
RESPONDENTS/RESPONDENT:

1 STATE OF KERALA, REPRESENTED BY THE SECRETARY, AGRICULTURAL DEPARTMENT, THIRUVANANTHAPURAM - 695 001. 2 DISTRICT COLLECTOR, CIVIL STATION, KAKKANAD, ERNAKULAM - 682 030. 3 PRINCIPAL AGRICULTURAL OFFICER, ERNAKULAM DISTRICT - 682 030. 4 REGIONAL DEPUTY DIRECTOR OF FISHERIES, DR.SALIM ALI ROAD, ERNAKULAM - 682 018. 5 REVENUE DIVISIONAL OFFICER, REVENUE DIVISIONAL OFFICE, FORT COCHIN - 582 001. 6 THE AGRICULTURAL OFFICER, CHELLANAM, ERNAKULAM DISTRICT - 682 008.

7 MARUVAKKAD PADASEKHARA KARSHAKA UNION, REG.NO.ER/75, CHELLANAM P.O., REPRESENTED BY THE SECRETARY K.J.JACOB, S/O.JOSEPH, KAITHAVALAPPIL (H), CHELLANAM P.O., ERNAKULAM - 682 008. ADDL.8 THE SUPERINTENDING ENGINEER, MINOR IRRIGATION DEPARTMENT, COLLECTORATE, KAKKANAD, ERNAKULAM-682 030 SRI.S.RENJITH, SPL. GOVERNMENT PLEADER TO AAG SRI.N.N.SUGUNAPALAN (SR) SRI.S.SUJIN THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 14.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Dated this the 14th day of February, 2022 The petitioner in W.P.(C) No.24586 of 2020 dated 22.10.2021 is the review petitioner.

2. The writ petition was disposed of by judgment dated 22.10.2021, inter alia ordering Constitution of a Committee to supervise dewatering process in the Padasekharam

concerned. The Committee was to consist of Advocate Commissioner, Agricultural Officer, Superintending Engineer (Minor Irrigation), Fisheries Extension Officer, Circle Inspector of Police and the President of Maruvakkad Padasekhara Karshaka Union. The review petitioner submits that the representatives of the cultivating farmers are not included in the Committee and it is highly necessary

that atleast one representative of the actual Pokkali cultivators should be included.

3. The learned counsel for the review petitioner

pointed out that from the judgment of this Court, it is evident that the Padasekhara Samithi was not interested in promoting Pokkali paddy cultivation. There is no point in including the said Committee. The real representatives of cultivators should be included.

4. The learned counsel for the Padasekhara Samithi

submitted that out of 271 cultivators in the area, more than 250 cultivators are members of Padasekhara Samithi. Therefore, the Padasekhara Samithi can rightly represent the paddy cultivators in the area and no other representative need be included in the Samithi.

5. I have heard the learned counsel for the review petitioner, the learned Government Pleader, the learned counsel for the 7th respondent and the Advocate Commissioner.

6. In view of the fact that the Padasekhara Samithi is

representing a large number of cultivators in the area, this Court is of the view that no further representative of cultivators is required in the Committee. However, it is made clear that in case the Padasekhara Samithi is not properly co-operating with the functioning of the Committee constituted by this Court, it will be open to the Committee to seek orders of this Court to nominate another representative of cultivators.

This Court finds that no review of judgment is required at this stage. The review petition is therefore dismissed. Sd/- N. NAGARESH JUDGE SR

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