



2025:KER:15046

RP NO. 736 OF 2024

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

THURSDAY, THE 13TH DAY OF FEBRUARY 2025 / 24TH MAGHA, 1946

RP NO. 736 OF 2024

AGAINST THE JUDGMENT DATED 05.07.2024 IN WP(C) NO.11489 OF
2024 OF HIGH COURT OF KERALA

REVIEW PETITIONER/PETITIONER:

SIJI PAULY,
AGED 41 YEARS
W/O POLY, RESIDING AT PEENIKAPARAMBIL HOUSE, MOTHER
THERESA ROAD, KALLETUMKARA P.O. , THRISSUR, PIN - 680683

BY ADVS.
JITHIN BABU A
ARUN SAMUEL
CLETUS THOTTAPILLY
ANOD JALAL K.J.

RESPONDENTS/RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY, DEPARTMENT OF CO-OPERATIVE
SOCIETIES, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 695001
- 2 SECRETARY
DEPARTMENT OF CO-OPERATIVE SOCIETIES, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 3 THE REGISTRAR OF CO - OPERATIVE SOCIETIES
JAWAHAR SAHAKARANA BHAVAN DPI JUNCTION, THYCAUD (PO)
THIRUVANANTHAPURAM, PIN - 695014



- 4 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), THRISSUR KALYAN NAGAR, AYYANTHOLE, THRISSUR,
PIN - 680003
- 5 ASSISTANT REGISTRAR OF COOPERATIVE SOCIETIES
OFFICE OF THE ASSISTANT REGISTRAR OF COOPERATIVE
SOCIETIES, CHALAKUDY CHALAKUDY P.O, THRISSUR, PIN -
680307
- 6 SPECIAL SALE OFFICER
KALLETUMKARA SCB GROUP, OFFICE OF THE ASSISTANT
REGISTRAR OF COOPERATIVE SOCIETIES, CHALAKUDY CHALAKUDY
P.O, THRISSUR, PIN - 680307
- 7 KALLETUMKARA SERVICE CO-OPERATIVE BANK HAVING
REGISTRATION NO.141
REPRESENTED BY ITS SECRETARY, KALLETUMKARA P.O,
THRISSUR DISTRICT, PIN - 680683
- 8 JOSEPH
SON OF KOCHUMATHEW, NERAPARAMBIL HOUSE, KALLETUMKARA,
VILLAGE, VALLAKUNNU DESOM, THRISSUR, PIN - 680683
- 9 AJAYGHOSH
S/O AYYAN, PALLIPAMADATHIL HOUSE, KALLETUMKARA VILLAGE
DESOM, CHALAKUDY TALUK, THRISSUR, PIN - 680683
- 0 ADDL.R10: POLY,
RESIDING AT PEENIKAPARAMBIL HOUSE, MOTHER THERESA ROAD,
KALLETUMKARA P.O., THRISSUR-680 683
(ADDL.R10 IS IMPEADED AS PER ORDER DATED 05.02.2025 IN
IA NO.1/2024 IN RP NO.736/2024)

BY ADVS.
GEORGE POONTHOTTAM (SR.) (K/000570/1979)

SMT NISHA GEORGE

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 13.02.2025,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O R D E R

The petitioner has earlier approached this Court to obtain judgment in WP(C)No.11489 of 2024.

2. However, she has now filed this petition seeking review of the judgment saying that she does not now want the property, only the return of the amount of Rs.26,10,000/- which she has earlier remitted.

3. Though the afore is not a ground to seek a review of the judgment, especially since, the petitioner unequivocally admits - through her learned counsel, Sri.Jithin Babu - that there is no error apparent on it, this Court thought some lenitude may be entitled to her and therefore, directed the respondent to consider whether her request can be acceded to.



4. However, Smt.Nisha George - learned counsel for the respondent, submitted that the petitioner and the 10th respondent are colluding with each other, manifest from the fact that they are living in the same house with their children.

5. Since Sri.Jithin Babu - learned counsel for the petitioner, controverted the afore submission, this Court passed an order on 05.02.2025 which is self explanatory and extracted below:

"Even today, it is restated by the counsel for the petitioner that his client has vacated the house in question.

Though 10th respondent is served, he has chosen not to appear.

I, therefore, allow respondents 6 & 7 to take possession of the house and file a report before this Court by the next posting date.

Post on 12.02.2025.

6. The report by respondents 6 and 7



is available now, which says that, according to the 10th respondent - the husband of the petitioner, they are living together with their children in the same house.

7. It is thus ineluctable that the petitioner cannot seek any benefit, when she herself is remaining in the same house, without offering vacant possession to the bank.

In the afore circumstances, this Review Petition cannot be allowed; and I, therefore, dismiss it.

Sd/-

DEVAN RAMACHANDRAN

JUDGE

SAS



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APPENDIX OF RP 736/2024

RESPONDENTS' ANNEXURES

Annexure R7(a) TRUE COPY OF THE REPORT SUBMITTED BY THE 6TH
RESPONDENT SALE OFFICER DATED 11.02.2025

Annexure R7(b) TRUE COPY OF THE REPORT OF THE SECRETARY OF
THE 7TH RESPONDENT BANK DATED 11.02.2025