



2025:KER:18927

COC.No.2300/24

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 6TH DAY OF MARCH 2025 / 15TH PHALGUNA, 1946

CON.CASE(C) NO.2300 OF 2024

AGAINST THE ORDER/JUDGMENT DATED IN WP(C) NO.3460 OF
2022 OF HIGH COURT OF KERALA

PETITIONER:

SADANANDAN, AGED 56 YEARS,
S/O.VASU, MOOLAYIL HOUSE, KALLARA SOUTH P.O.,
KOTTAYAM, PIN - 686 611.

BY ADVS.
V.M.KRISHNAKUMAR
P.R.REENA

RESPONDENT:

DEEPA.K.P,
AGE AND FATHER'S NAME OF RESPONDENT NOT KNOWN TO
THE PETITIONER, REVENUE DIVISIONAL OFFICER, OFFICE
OF THE REVENUE DIVISIONAL OFFICER, PALA, KOTTAYAM
DISTRICT, PIN - 686 575.

Smt.Deepa.V, GOVERNMENT PLEADER

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 06.03.2025, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



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JUDGMENT

This Contempt of Court Case is filed by the petitioner aggrieved by the non-compliance of the directions issued by this Court in W.P.C.No.3460 of 2022. As per the said judgment, this Court set aside the order passed by the respondent on the Form-5 application submitted by the petitioner with a direction to reconsider the same in the light of the judicial precedents in this regard. In the judgment, various decisions such as **Arthasasthra Ventures (India) LLP v. State of Kerala [2022 (7) KHC 591]**, **Muraleedharan Nair v. Revenue Divisional Officer [2023 (4) KLT 270]**, **Adani Infrastructures & Developers Pvt. Ltd, Mumbai & Others v. State of Kerala & Others [2014 (1) KHC 685]**, **Mather Nagar Residents Association and Another v. District Collector, Ernakulam & Others [2020 (2) KLT 192]**, **Sudheesh v. Revenue Divisional Officer [2023 (2) KLT 386]**, **Bharathan Ramanathan v. State of Kerala [2022 (7) KHC 541]** and **Devanand v. State of Kerala [2023 (1) KHC 123]** were specifically referred to.



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2. After the filing of this Contempt of Court Case, an order is passed by the respondent, which is produced as Annexure-2 along with a memo dated 01.11.2024. The learned Senior Counsel appearing for the petitioner submits that, the order passed by the respondent is not in tune with the directions issued by this Court in letter and spirit. It was pointed out that, despite the fact that this Court referred to a larger number of decisions as mentioned above and disposed of the writ petition with a specific direction to take a fresh decision in the light of the observations made in the aforesaid judgment, the present order was passed without considering any of the observations made in those decisions. Therefore, it would amount to contempt of court, points out the petitioner.

3. Even though a reading of the order passed by the respondent would give a *prima facie* impression that the said order does not contain any observations indicating consideration of the principles laid down by this Court in Annexure-A1 judgment, I am of the view that the same cannot be treated as a matter which has to be considered in a contempt of court case.



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The petitioner has to invoke his remedies by challenging the said order.

In such circumstances, this contempt of court case is closed without prejudice to the right of the petitioner to seek remedies against the order now passed.

Sd/-
ZIYAD RAHMAN A.A.
JUDGE

DG/6.3.25



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APPENDIX OF CON.CASE(C) 2300/2024

PETITIONER ANNEXURES

*Annexure 1 CERTIFIED COPY OF THE JUDGMENT DATED
23.02.2024 IN W.P(C) NO.3460/2022*

*Annexure 2 True copy of the order No.L7-3443/2021
dated 06.09.2024 issued by the Revenue
Divisional Officer, Pala*