

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

MONDAY, THE 30TH JUNE 2008 / 9TH ASHADHA 1930

WP(C).No. 15815 of 2008(G)

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PETITIONER:

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THAZHZTHUVEETIL  
OTHAYOTH SAROJINI. D/O.PARVATHI AMMA,  
CHUZHALI AMSOM DESOM, CHUZHALI PO.,  
TALIPARAMBA TALUK, KANNUR

BY ADV. SRI.O.V.MANIPRASAD

RESPONDENTS:

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THE CHAIRMAN, CHUZHALI DEVASWOM  
CHUZHALI, CHUZHALI PO., TALIPARAMBA TALUK, KANNUR

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 30/06/2008, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**M.SASIDHARAN NAMBIAR, J.**

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W.P.(C) No.15815 of 2008  
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Dated this the 30<sup>th</sup> June, 2008.

**J U D G M E N T**

This petition is filed under Article 227 of the Constitution of India to quash the order passed by Appellate Authority (Land Reforms), Kannur, dismissing the application filed under Section 5 of the Limitation Act, to condone the delay in filing the appeal. Consequent to the order, appeal was also dismissed. As settled by the Apex Court, though the impugned order is passed in the application to condone the delay in filing the appeal, consequent to that order, appeal was dismissed as barred by time. Therefore, nevertheless, it is an order of dismissal of the appeal. Remedy of the petitioner is to file a revision, as provided under Kerala Land Reforms Act. The writ petition is dismissed with liberty to the petitioner to file a revision.

**M.SASIDHARAN NAMBIAR,  
JUDGE**

**nj.**