



2025:KER:32609

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

RP NO. 280 OF 2025

JUDGMENT DATED IN WP(C) NO.34174 OF 2024 OF HIGH COURT OF
KERALA

REVIEW PETITIONERS/PETITIONER/6TH RESPONDENT:

- 1 ASHA LAWRENCE
AGED 54 YEARS
D/O M.M.LAWRENCE, RESIDING AT FLAT NO.41, NARMADA
APARTMENTS, DR.B.D.MARG, NEW DELHI, PIN - 110001
- 2 SUJATHA BOBAN
AGED 62 YEARS
AGED 62 YEARS, D/O M.M. LAWRENCE HEBRON, VAKKATTU ROAD
NEAR HOLIDAY INN HOTEL CHAKKARAPARAMBU, ERNAKULAM, PIN
- 682032

BY ADVS.
R.KRISHNA RAJ
R.PRATHEESH (ARANMULA)
E.S.SONI
SREERAJA V.
LAXMI PRIYAA N.P.

RESPONDENTS/RESPONDENTS 1 TO 5 AND 7 TO 10:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT DEPARTMENT
OF HEALTH, GOVERNMENT SECRETARIAT THIRUVANATHAPURAM,
PIN - 695001
- 2 D.I.G AND COMMISSIONER OF POLICE
POLICE COMMISSIONERATE, ERNAKULAM, PIN - 682017



2025:KER:32609

R.P.No.280 of 2025

2

- 3 STATION HOUSE OFFICER
ERNAKUALAM KAZABA POLICE STATION KACHERIPPADI,
ERNAKUALAM NORTH, KOCHI, PIN - 682018
- 4 GOVERNMENT MEDICAL COLLGE, KALAMASSERY
REPRESENTED BY ITS PRINCIPAL H.M.T.COLONY, NORTH
KALAMASSERY, ERNAKULAM, PIN - 683503
- 5 M.L.SAJEEVAN,
S/O.M.M.LAWRENCE, RESIDING AT BETHEL, ST.SEBSTIAN ROAD
ELAMKULAM, KOCHI, PIN - 682020
- 6 VICAR
ST.FRANCIS XAVIERS CHURCH, KATHRIKADAVU, KALOOR,
KOCHI, PIN - 682017
- 7 COMMUNIST PARTY OF INDIA (MARXIST)
REPRESENTED BY ITS DISTRICT SECRETARY, LENIN CENTER,
BANERJEE ROAD, KALOOR, KOCHI, PIN - 682017
- 8 PRATHAP SOMANATH
PRINCIPAL, GOVERNMENT MEDICAL COLLGE, KALAMASSERY
H.M.T.COLONY, NORTH KALAMASSERY, ERNAKULAM, PIN -
683503
- 9 DR.GANESH MOHAN
MEDICAL SUPERINTENDENT GOVERNMENT MEDICAL COLLGE,
KALAMASSERY H.M.T.COLONY, NORTH KALAMASSERY,
ERNAKULAM, PIN - 683503

BY ADVS.
PUBLIC PROSECUTOR
SHRI.N.MANOJ KUMAR, STATE ATTORNEY()

SRI. N. MANOJ KUMAR FOR STATE ATTORNEY. SR. ADV. V.V.
SIDHARTHAN INSTRUCTED BY SRI. D.G. VIPIN FOR R5.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
11.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



2025:KER:32609

R.P.No.280 of 2025

3

ORDER

Dated this the 11th day of April, 2025

This petition is filed seeking review of the judgment in W.P.(C) No.34174 of 2024 by which this Court rejected the 1st petitioner's prayer to hand over the body of her deceased father so as to bury the body in the church following Christian faith, rites and rituals. The main ground for seeking review is the receipt of a video recording in which the deceased father of the petitioners had allegedly expressed his wish to be buried in the church.

2. An objection as to maintainability of the review petition is raised by the Senior Counsel appearing for the 5th respondent, contending that the



2025:KER:32609

R.P.No.280 of 2025

4

doctrine of merger would apply in view of the dismissal of the writ appeal and the Special Leave Petition filed against the impugned judgment.

3. Learned Counsel for the petitioners attempted to explain the legal position by relying on the recent judgment of the Supreme Court in **Manisha Nimesh Mehta v. Board of Directors, Represented by Chairman and Managing Director of ICICI Bank & Others** [2024 (9) SCC 573].

4. The indisputable position is that the judgment sought to be reviewed has merged in the judgment of the Division Bench. Hence, it is not necessary to consider the effect of the order passed by the Supreme Court in the Special Leave Petition.

The review petition is hence dismissed, without prejudice to the petitioners' right to seek appropriate remedies, if any available. If the



2025:KER:32609

R.P.No.280 of 2025

5

petitioners submit an application for return of the original documents, the Registry shall do the needful at the earliest.

**Sd/-
V.G.ARUN
JUDGE**

SSK/11/04



2025:KER:32609

R.P.No.280 of 2025

6

APPENDIX OF RP 280/2025

PETITIONER ANNEXURES

Annexure P- 2	TRUE COPY OF THE PHOTOGRAPH DATED NIL
Annexure P-3	TRUE COPY OF THE PHOTOGRAPH DATED 23.09.2024
Annexure P-4	TRUE COPY OF THE ORDER OF THE APEX COURT IN SLP NOS. 897/2025 & 898/2025 DATED 15.01.2025
Annexure P-1 (a)	MEMO FILED BY THE COUNSEL FOR THE PETITIONERS
Annexure P-5	TRUE COPY OF THE JUDGMENT IN WA NO.1857 OF 2024 AND 1865 OF 2024 DATED 18.12.2024