



Indian Law Reports - Kerala Series

Abridged Index

SUBJECT INDEX OF I.L.R. DATED 05.11.2025

Code of Criminal Procedure, 1973 (Central Act 2 of 1974)— Section 167 (2)— The period during which the accused person was released on temporary/interim bail should not be computed for the purpose of reckoning the period for statutory bail—Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023)—Section 187 (3) - Fisal P.J. v. State of Kerala and another - I.L.R. 2025 Kerala OnLine 332 : [Neutral Citation No. 2025:KER:79121](#).

Conservation of Paddy Land and Wetland Act, 2008 (Kerala Act 28 of 2008)—Section 27A—In cases where a valid residential building already exists and the construction is legally recognised, the land can be re-assessed under the Kerala Land Tax Act, 1961, without recourse to Section 27A of the Paddy Land Act—Land Tax Act, 1961 (Kerala Act 13 of 1961) - State of Kerala and others v. Shaji N.T. - ILR 2025 Kerala OnLine 336 : [Neutral citation No.2025:KER: 76527](#).

Constitution of India—Article 226—Delay and Laches—Relief under Article 226 may be declined where there is gross or unexplained delay, especially when the petitioners have acquiesced in the impugned action and permitted third-party rights or settled positions to crystallize, except in cases involving manifest illegality or infringement of fundamental rights - Binu Vincent and another v. Federal Bank Limited and others - I.L.R. 2025 Kerala OnLine 333 : [Neutral Citation No. 2025:KER:74662](#).

Employees Compensation Act, 1923 (Central Act 8 of 1923)—Section 8—Doctrine of Election—An employee has the option to claim compensation under two statutes—Electing one remedy will preclude the other—Legal Services Authorities Act, 1987 (Central Act 39 of 1987)—Section 22 - Sivan and another v. Raju P.V. and another - I.L.R. 2025 Kerala OnLine 328 : Neutral Citation No.2025:KER:70744.

Employees Compensation Act, 1923 (Central Act 8 of 1923)—Section 8—Dependent of the deceased employee can claim compensation under the Legal Services Authorities Act, 1987—Legal Services Authorities Act, 1987 (Central Act 39 of 1987)—Section 22 - Sivan and another v. Raju P.V. and another - I.L.R. 2025 Kerala OnLine 328 : Neutral Citation No.2025:KER:70744.

Evidence Act, 1872 (Central Act 1 of 1872)—Section 27—Conviction cannot be sustained solely on the basis of recovery under Section 27, made pursuant to alleged confession—Prosecution is duty bound to prove the precise information received from each accused which led to the recovery—Where more than one accused is involved, the Investigating Officer must record and prove who gave what information and when, so as to connect the recovery to the specific accused—Recovery evidence, being not substantive in nature, cannot by itself form the sole basis of conviction—Penal Code, 1860 (Central Act 45 of 1860)—Sections 34, 457 and 380 - Selvan v. State of Kerala - I.L.R. 2025 Kerala OnLine 335 : [Neutral Citation No.2025:KER:74410](#).

General Sales Tax Act, 1963 (Kerala Act 15 of 1963)—Section 17—No specific time is prescribed for initiation of assessment proceedings under Section 17D but the assessment has to be finalized within a reasonable time — With reference to Section 17 (6), the assessment has to be initiated at least within five years - Deputy Commissioner, Commercial Taxes and others v. Hakeem K. - I.L.R. 2025 Kerala OnLine 329 : [Neutral Citation No.2025:KER:70576](#).

Land Assignment Act, 1960 (Kerala Act 30 of 1960)—Sections 3, 7 and 8—In the absence of statutory provisions to vest the trees which grew subsequent to the assignment, the conditions in the patta that the assignee has to take care of all trees standing on the land itself will not confer interest or right on the Government—Any interest contemplated to arise in the future cannot be created in favour of the Government without sanction or authority of law or by a contract—Difference between 'transfer of ownership' and 'assignment' explained—Land Assignment Rules, 1964 (Kerala)—Rule 8 - State of Kerala and others v. Thankachan P.T. - ILR 2025 Kerala OnLine 338 : [Neutral Citation No.2025:KER:81418](#).

Private Forests (Vesting and Assignment) Act, 1971 (Kerala Act 26 of 1971)—Section 8B(1) and (3)—The provisions of Section 8B (3) are not intended to

enlarge or permit a review on grounds other than those mentioned in Section 8B (1)—The Review of an order/judgment under Sections 8B and 8C automatically necessitates a re-hearing and re-adjudication of the entire subject matter and the dispute no longer remains restricted to any ground in Section 8B (1) or analogous provisions in Sections 8C (1), (2) and (3) - Narayanamoorthy and others v. State of Kerala and another - [I.L.R. 2025 Kerala OnLine 330 \(LB\)](#).

Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (Central Act 51 of 1993)—Sections 25 and 29—Rule 68B of the Second Schedule to the Income Tax Act, 1961, has no mandatory application to recovery proceedings under the RDDB Act— No time limit prescribed in the RDDB Act for attachment and sale of properties under RDDB Act —Only those provisions of Income Tax Act and Rules which aid and facilitate recovery can be applied—Income Tax Act, 1961 (Central Act 43 of 1961)—2nd Schedule, Rule 68B - Binu Vincent and another v. Federal Bank Limited and others - I.L.R. 2025 Kerala OnLine 333 : [Neutral Citation No. 2025:KER:74662](#).

Rules of the High Court of Kerala, 1971 (Kerala)—Necessity for having a standardised check list for scrutinising the cases filed, emphasised - Suo motu JPP v. State of Kerala - ILR 2025 Kerala OnLine 331 : [Neutral citation No.2025:KER:79138](#).

Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Central Act 54 of 2002)—Writ Petition challenging SARFAESI proceedings initiated by private Non Banking Financial Company is not maintainable— Constitution of India—Article 226 - M/s. Thiruvonam Industries and others v. Hero Fincorp Ltd. and others - I.L.R. 2025 Kerala OnLine 334 : [Neutral Citation No. 2025:KER:53782](#).

Wild Life Protection Act, 1972 (Central Act 53 of 1972)—Sections 39, 40, 40A, 41 and 42—When the statutory provisions clearly state that the publication of the notification must be in the official gazette, the publication has to be in the official gazette of the State either in print format or in the electronic format—The effect of not exercising a statutory power strictly in the manner prescribed under the statute is that the notifications in question will have to be seen as ‘stillborn’ and unenforceable—If a statutory power is not exercised in the manner prescribed under the statute, then that power cannot be seen as having been exercised at all—Wild Life (Protection) Rules, 1978 (Kerala)—Rules 35, 36 and 37 - James Mathew v. State of Kerala (Deleted) and others - ILR 2025 Kerala OnLine 337 : [Neutral Citation No.2025: KER:78926](#).

Pl. Visit our website - www.ilrkerala.gov.in