



Indian Law Reports - Kerala Series

Abridged Index

I.L.R. – Index of reported cases dt. 13.08.2025

Code of Civil Procedure, 1908 (Central Act 5 of 1908)—Order II, Rule 2—Fresh proceeding based on a distinct and later cause of action not barred by dismissal of earlier suit for default— Rule is not applicable where reliefs arise from new facts post reconciliation—Order IX, Rule 9 - Beatrice v. Babu Louis @ Donaldson Louis - I.L.R. 2025 Kerala OnLine 259 : [Neutral Citation No. 2025:KER:51404.](#)

Contempt of Courts Act, 1971 (Central Act 70 of 1971)—Section 19 (1)—Appeal can be filed only if there is an order punishing for contempt—The impugned order must be inextricably connected with the order punishing for contempt and cannot be independent of it—It must flow from the order punishing for contempt - Rajesh R. v. High Court of Kerala - I.L.R. 2025 Kerala OnLine 262 : Neutral Citation No. Nil.

Contempt of Courts Act, 1971 (Central Act 70 of 1971)—Sections 15 and 16—Criminal contempt proceedings—Where the initiation of Contempt proceedings suffers from deviation of procedure and incurable legal infirmities, the contempt petition is liable to be closed—Rules under the Contempt of Courts Act, 1971 (Kerala)—Rules 7, 8A and 9 - Suo Motu Contempt Petition (Criminal) v. Rajesh R. - I.L.R. 2025 Kerala OnLine 263: [Neutral Citation No.2025:KER:58722.](#)

Contempt of Courts Act, 1971 (Central Act 70 of 1971)—Sections 2(c) and 15—Contempt ‘of its own motion’ explained—Court initiated contempt proceedings

suomotu, finding prima facie that the insinuation and intemperate language used by the alleged contemnor in his Facebook post tends to interfere with the Court proceedings and scandalise the Court, thereby interfering with administration of justice in an ex facie contemptuous way—Constitution of India—Article 215— Rules of High Court of Kerala, 1971—Rule 164(2) - Suo Motu v. Rajesh R. - I.L.R. 2025 Kerala OnLine 261 : [Neutral Citation No. Nil.](#)

Land Conservancy Rules, 1958 (Kerala)—Rule 11—Resumption of Government land— Summary power for resumption of lands, cannot be exercised after a considerable length of time without the Government first establishing before a Civil Court, the jurisdictional fact of the lands in question being Government lands for the purposes of the Act and Rules - District Collector and others v. Devi Prasad M.N. and others - I.L.R. 2025 Kerala OnLine 260 : [Neutral Citation No. 2025:KER:52872.](#)

Limitation Act, 1963 (Central Act 36 of 1963)—Sections 9 and 10—No limitation for recovering valuables entrusted by one spouse to the other during marriage—Section 9 does not override Section 10—Dissolution of marriage does not extinguish the trust - Beatrice v. Babu Louis @ Donaldson Louis - I.L.R. 2025 Kerala OnLine 259 : [Neutral Citation No. 2025:KER:51404.](#)

Municipalities Act, 1994 (Kerala Act 20 of 1994)—Section 447(6)—Communication of order through electronic means is sufficient - Manoj v. Kattapana Municipality and another - I.L.R. 2025 Kerala OnLine 257 : [Neutral Citation No. 2025:KER:47538.](#)

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013)—Section 26(2) and First Schedule—Fixation of Multiplication Factor—Lakshadweep having no notified urban area, the project area must be treated as rural—In terms of Sl. No.2 of the First Schedule, multiplication factor for rural areas is to be based on distance from a notified urban area—In the absence of such a reference point in Lakshadweep, factor ‘2’ is to be applied—Fixation of factor ‘1’ held arbitrary and unsustainable - Mohammedali v. Union of India and others - I.L.R. 2025 Kerala OnLine 256 : [Neutral Citation No. 2025:KER:49715.](#)

Transfer of Property Act, 1882 (Central Act 4 of 1882)—Sections 108(e) and 111— Termination of Lease—A lease does not automatically stand extinguished merely because the leased building is destroyed, if the land forming part of the leasehold continues to exist—The tenancy subsists unless it is terminated in accordance with law - Prabhakaran N. and another v. Sakeena Beevi and others - I.L.R. 2025 Kerala OnLine 255 : [Neutral Citation No. 2025:KER:48969.](#)

Trusts Act, 1882 (Central Act 2 of 1882)—Sections 23, 63 and 77—Use of wife's gold and money by husband to purchase property creates a fiduciary relationship—In case of breach, trustee is liable to make good the loss unless induced by beneficiary's fraud or concurrence without coercion—Wife entitled to personal remedy for recovery of value; not necessary to trace or proceed against the converted property—Trust does not extinguish merely on dissolution of marriage - Beatrice v. Babu Louis @ Donaldson Louis - I.L.R. 2025 Kerala OnLine 259 : [Neutral Citation No. 2025:KER:51404.](#)

Value Added Tax Act, 2003 (Kerala Act 30 of 2004)—Sections 2 (xxiii), 11, 31 and 35— Section 11's comprehensive credit mechanism does not require credit eligibility to be linked to the selling dealer's tax remittance—The denial of credit is exclusively and exhaustively based on the purchasing dealer's documentary compliance, not on the selling dealer's subsequent actions or omissions—Input Tax Credit (ITC) should be available to purchasing dealers, even if the selling dealer fails to remit the tax—Legislative intent of VAT system explained—Responsibility for recovering unpaid tax lies primarily with the tax authorities, who must proceed against the defaulting seller, rather than against innocent purchasing dealer who has fulfilled all the statutory obligations - Faizal S.P. v. State of Kerala - I.L.R. 2025 Kerala OnLine 258 : Neutral Citation No.2025:IO:KER:16.

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