

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

Con.Case(C).No. 1005 of 2013 (S) IN WP(C).7696/2009

AGAINST THE ORDER/JUDGMENT IN WP(C) 7696/2009 of HIGH COURT OF KERALA
DATED 25-03-2009

PETITIONER/PETITIONER:

JYOTHI KUMAR
S/O P.K.BAHULEYAN, KUMAR BHAVAN, T.K.M. COLLEGE P.O.
KOLLAM, WORKING AS DOCUMENTATION ASSISTANT
DEPARTMENT OF ARCHEOLOGY, THIRUVANANTHAPURAM.

BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.PRATHAP PILLAI
SRI.BENOJ C AUGUSTIN
SRI.SEBIN THOMAS
SRI.A.G.GIRISH KUMAR
SRI.P.E.SAJAL
SRI.VIVEK V. KANNANKERI

RESPONDENT(S)/2ND RESPONDENT:

DR.G. PREMKUMAR, AGED ABOUT 50,
THE DIRECTOR, DEPARTMENT OF ARCHEOLOGY,
FATHER'S NAME NOT KNOWN TO THE PEITIONER
THE DIRECTOR, DEPARTMENT OF ARCHEOLOGY
OFFICE OF THE DEPARTMENT OF ARCHEOLOGY
THIRUVANANTHAPURAM-695 01.

R1 BY ADV. GOVERNMENT PLEADER

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. RAMACHANDRAN NAIR, J.

C.O.(C) No.1005 of 2013

Dated this the 19th day of August, 2015

JUDGMENT

The petitioner has approached this Court complaining that the interim order passed by this Court produced as Annexures A1 to A3, have been wilfully violated the respondent. The petitioner had approached this Court in W.P(C) No.7696/2009 wherein, by Annexure A1, an order of status-quo was passed by this Court which was extended later.

2. In the detailed affidavit filed by the respondent, various aspects have been pointed out. The complaint of the petitioner is that he was reverted to a lower post ignoring the directions to maintain status-quo. But the respondent in his counter affidavit, has explained that the department had to undertake a review as directed by this Court in W.A.No.2745/2009. The Government had reviewed the entire appointments/promotions already made in the department, since the implementation of the special rules. A total of 34 promotions were

reviewed and orders have been produced as Annexure R1(a). It is submitted that the order reverting the petitioner is the result of the judgment in the writ appeal.

3. Therefore, the petitioner will have to work out his remedies in the writ petition itself. The same is pending before the Kerala Administrative Tribunal after it is transferred. The allegation that there was wilful violation of the directions of this Court, therefore, cannot survive. It is also to be noted that the Writ Appeal No.2745/2009 was disposed of subsequent to the interim order passed by this Court, on 10.2.2010.

The Contempt Case is accordingly disposed of.

(T.R. RAMACHANDRAN NAIR, JUDGE.)

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