

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

DBA.No.2 of 2015

APPLICANT:

THE TRAVANCORE DEVASWOM BOARD,
NANTHANCODE, THIRUVANANTHAPURAM,
REP. BY ITS SECRETARY.

BY ADV. SRI.D.SREEKUMAR, SC, TDB

RESPONDENT :

THE JOINT DIRECTOR, LOCAL FUND AUDIT,
TRAVANCORE DEVASWOM BOARD, NANTHANCODE,
THIRUVANANTHAPURAM, PIN-695 001.

BY SR.GOVERNMENT PLEADER SRI.R.RENJITH

THIS DEVASWOM BOARD APPLICATION HAVING BEEN FINALLY
HEARD ON 16-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

DBA.No.2 of 2015

APPENDIX

APPLICANT'S ANNEXURES:-

ANNEXURE 1 COPY OF THE RECOMMENDATION LETTER
No.ROC.10215/07/E. DTD.16.1.2015 SENT BY THE
DEVASWOM COMMISSIONER TO THE SECRETARY,
TRAVANCORE DEVASWOM BOARD.

ANNEXURE 2 COPY OF THE PROCEEDINGS
No.ROC.5990/06/Mis.II DTD.28.1.2015 ISSUED BY
THE SECRETARY, TRAVANCORE DEVASWOM
BOARD.

RESPONDENT'S ANNEXURE :- NIL.

True copy

P.A to Judge

P.N.RAVINDRAN & ANIL K.NARENDRAN, JJ.

D.B.A.No.2 of 2015

Dated this the 16th day of February, 2015

ORDER

Anil K.Narendran, J.

This is an application filed by the Travancore Devaswom Board seeking approval and sanction for the grant of ₹5,00,000/- as compensation to the widow of late Dr.C.Gopakumar, Veterinary Doctor of the Board, who died in harness due to attack by an elephant hired by the Devaswom.

2. In the affidavit filed in support of the D.B.A. it is stated that late Dr.C.Gopakumar was a Veterinary Doctor in the service of the Travancore Devaswom Board who rendered dedicated and sincere service to the Board in the matter of treatment of elephants of the Board in various groups like Karunagappally, Mundakayam, Kottarakara, Punalur, Aranmula, etc. On 11.1.2015 he died in harness due to attack by an elephant hired by the Devaswom for para ezhunnallippu of Vayppooru Devaswom.

3. By Annexure-1 letter dated 16.1.2015 the Deputy Devaswom Commissioner (Administration) has recommended for grant of ₹5,00,000/- as compensation to the legal heirs of deceased Dr.C.Gopakumar. A perusal of the Board Note enclosed along with

Annexure-1 would show that on an earlier occasion compensation of ₹1,00,000/- was granted to one Vijayakumar, the mahout of an elephant hired by the Devaswom, who died due to attack by the elephant, and the said amount was disbursed to his legal heirs, after obtaining approval from this Court.

4. Pursuant to the recommendation made in Annexure-1, the Travancore Devaswom Board by Annexure-2 proceedings dated 28.1.2015 has decided to grant ₹5,00,000/- to the widow of deceased Dr.C.Gopakumar who died in harness while working as Veterinary Doctor of the Devaswom due to attack by an elephant hired by the Devaswom, subject to approval from this Court.

5. We heard the learned Standing Counsel for the Board and also the learned Senior Government Pleader representing the Local Fund Audit.

6. It is not in dispute that late Dr.C.Gopakumar died in harness on 11.1.2015, while working as Veterinary Doctor in the service of the Travancore Devaswom Board, due to attack by an elephant hired by the Devaswom for the para ezhunnallippu of Vayppooru Devaswom. As evident from Annexure-1 recommendation, in similar circumstances, after obtaining orders from this Court, similar benefit was extended to the mahout of an elephant hired by Devaswom, who died in harness.

In such circumstances, considering the facts and circumstances of the case, approval is granted for awarding ₹5,00,000/- as compensation to the widow of Dr.C.Gopakumar, Veterinary Doctor of the Devaswom, who died in harness due to attack by an elephant hired by the Devaswom. This will be treated as an ex gratia payment of compensation made by the Board.

P.N.RAVINDRAN, JUDGE

ANIL K.NARENDRAN, JUDGE

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