

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 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

DBP.No. 12 of 2015 ()

SUO MOTU PROCEEDINGS

PARTIES/PETITIONERS

1. TRAVANCORE DEVASWOM BOARD,
REP. BY ITS SECRETARY, TRIVANDRUM.
2. COCHIN DEVASWOM BOARD, REP. BY ITS SECRETARY,
THRISSUR.

BY ADV. SRI MVS NAMBOOTHIRI, SC FOR TDB
ADV. SMT. PUSHPALATHA, SC FOR CDB
SRI KRISHNAKUMAR MANGOT AMICUS

R1 BY ADV. SRI. M. V. S. NAMBOOTHIRI, SC, TRAVANCORE DEVASWOM BOARD
R2 BY ADV. SMT. M. K. PUSHPALATHA, SC, COCHIN DEVASWOM BOARD
SRI KRISHNAKUMAR MANGOT, AMICUS CURIAE FOR OMBUDSMAN

THIS DEVASWOM BOARD PETITION HAVING BEEN FINALLY HEARD ON
23-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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

D.B.P.No.12 OF 2015

DATED THIS THE 23rd DAY OF FEBRUARY, 2015

ORDER

ANIL K.NARENDRAN , J.

The Honourable Ombudsman has filed Report No.37 of 2015 seeking permission of this Court to proceed with the repair work of the vinyl flooring in the office of the Honourable Ombudsman, at the expense of the Travancore Devaswom Board.

2. A reading of the report filed by the Honourable Ombudsman would show that the Maramath Wing of the Board has opined that mere repair work is not sufficient as the damage is beyond repair and reflooring using vinyl sheets will only result in recurring expenditure. It is suggested that the floor can be tiled to make it neat. In the report it is pointed out that, a portion of the floor of the building has already been tiled by the Public Works Department as per the administrative direction of this Court and as there was not much of a damage to the remaining part, it was not repaired at that time.

3. The Maramath Wing of the Travancore Devaswom Board has taken an estimate for maintenance and repairs of the office building of the Honourable Ombudsman, which is estimated at ₹2,38,000/-, as is evident from Annexure A letter dated 21.1.2015 sent by the Assistant

Executive Engineer, Travancore Devaswom Board, Aluva, to the Executive Engineer, Kottayam. By Annexure B letter dated 31.3.2014 of the Registrar (Administration) of this Court, permission has been granted to do necessary repair works to the vinyl flooring in the office of the Honourable Ombudsman functioning in the old High Court buildings at the expense of the Travancore Devaswom Board, subject to the condition that whatever improvements made by the Board would become part of the building. Therefore, the Honourable Ombudsman has suggested that this Court may grant permission to the Travancore Devaswom Board to proceed with the repair works.

4. We heard arguments of the learned Standing Counsel for the Travancore Devaswom Board, the learned Standing Counsel for the Cochin Devaswom Board, the learned Senior Government Pleader appearing for the Local Fund Audit and also the learned Amicus Curiae.

5. From the report filed by the Honourable Ombudsman and Annexure A letter sent by the Assistant Executive Engineer concerned, it is evident that the flooring in the office building of the Honourable Ombudsman is badly damaged and mere repair work is not sufficient, as the damage is beyond repair. Now the Maramath Wing of the Travancore Devaswom Board has prepared an estimate for the maintenance and repairs of the office building of the Honourable Ombudsman amounting to Rs.2,38,000/-. The Registrar of this Court

by Annexure B letter dated 31.3.2014 granted permission to do the necessary repair works in the office of the Honourable Ombudsman subject to the condition stipulated therein.

6. In the above circumstances, the Travancore Devaswom Board is permitted to proceed with the repair work in terms of Annexure A communication dated 21.1.2015, which will be subject to the conditions stipulated in Annexure B letter dated 31.3.2014 of the Registrar (Administration) of this Court. It is made clear that the expenditure incurred for the work will be subject to audit, after the work is over.

D.B.P.No.12 of 2015 is allowed.

SD/-

P.N.RAVINDRAN, JUDGE

SD/-

ANIL K.NARENDRA, JUDGE

dsn