

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON
&**

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

OP(KAT).No. 230 of 2015 (Z)

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AGAINST THE JUDGMENT IN TA 6446/2012 of KERALA ADMINISTRATIVETRIBUNAL,
THIRUVANANTHAPURAM DATED 22-07-2014**

PETITIONER(S):

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T.R.SUSHEELA, AGED 48 YEARS
T.R.SUSHEELA, D/O.RAMANKUTTY, AGED 48 YEARS
SPECIAL VILLAGE OFFICER (UNDER ORDER OF REMOVAL)
AMBALAVAYAL VILLAGE OFFICE, SULTHAN BATHERY
WAYANAD DISTRICT, RESIDING AT PANACHIYEL
AMBALAVAYAL P.O., SULTHAN BATHERY - VIA, WAYANAD
KERALA-673593.**

**BY ADVS.SRI.ANEESH JOSEPH
SRI.NIRMAL V NAIR
SRI.RILGIN V.GEORGE**

RESPONDENT(S):

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- 1. THE DISTRICT COLLECTOR,
CIVIL STATION, COLLECTORATE, KALPETTA
WAYANAD DISTRICT, KERALA-673121.**
 - 2. THE DISTRICT DISABILITY ASSESSMENT BOARD,
REPRESENTED BY ITS CHAIRMAN, THE SUPERINTENDENT
DISTRICT HOSPITAL, WAYANAD, MANANTHAVADY
WAYANAD DISTRICT-670645.**
 - 3. THE LAND REVENUE COMMISSIONER,
LAND REVENUE COMMISSIONERATE, PUBLIC OFFICES, MUSEUM
THIRUVANANTHAPURAM-695001.**
 - 4. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT, THIRUVANANTHAPURAM-695001.**
 - 5. THE STATE DISABILITY ASSESSMENT BOARD,
KERALA, REPRESENTED BY ITS CHAIRMAN
DIRECTORATE OF HEALTH SERVICES
THIRUVANANTHAPURAM-695033.**

R BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR
ADMISSION ON 10-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1- TRUE COPY OF THE MEDICAL CERTIFICATE DATED 28/05/1997
ISSUED BY THE INSTITUTE OF ENT, SREEDHAR HOSPITAL,
KOZHIKODE.

EXHIBIT P2- TRUE COPY OF THE MEDICAL CERTIFICATE DATED 30/05/1999,
ISSUED BY DR.T.BHARGAVAN, CIVIL SURGEON, ENT SPECIALIST,
GOVERNMENT HOSPITAL, KALPETTA.

EXHIBIT P3- TRUE COPY F THE DISABILITY CERFIFICATE NO.429 DATED
20/05/2013 ISSUED BY THE 2ND RESPONDENT TO THE
PETITIONER.

EXHIBIT P4- TRUE COPY OF ORDER NO.A1-23232/2003 DATED 17/01/2005
ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXHIBIT P5- TRUE COPY OF THE PROCEEDING A1-25824/07 DATED 22/11/2007
ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P6- TRUE COPY OF THE CERTIFICATE NO.13380/07 DATED 10/09/2007
ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P7- TRUE COPY OF THE CERTIFICATE NO.86/2009 DATED 11/03/2009
ISSUED BY THE DEPUTY DIRECTOR OF SURVEY AND LAND
RECORDS.

EXHIBIT P8- TRUE COPY OF THE PROCEEDING NO.A-3/08.(1) DATED
22/07/2009 ISSUED BY THE TAHSILDAR, AMBALAVAYAL TALUK.

EXHIBIT P9- TRUE COPY OF THE PROCEEDINGS NO.A2-07/09 DATED
21/10/2009 OF THE TAHSILDAR, SULTHAN BATHERY TALUK.

EXHIBIT P10- TRUE COPY OF THE TRIAL NOTICE NO.S1-31753/2010 (1) DATED
21/03/2011 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P11- TRUE COPY OF THE EXPLANATION DATED 11/04/2011
SUBMITTED BY THE PEPTITIONER BEFORE THE 1ST
RESPONDENT.

EXHIBIT P12- TRUE COPY OF THE ORDER NO.S1-37753/10(1) DATED 20/06/2011
ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P13- TRUE COPY OF INFORMATION NO.G1/5942/201 1DATED
27/06/2011 ISSUED BY THE PUBLIC INFORMATION OFFICER,
KOZHIKOE MEDICAL COLLEGE.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE

avk

**P.R.RAMACHANDRA MENON
&
ANU SIVARAMAN, JJ**

O.P.(KAT)No.230 of 2015

Dated this the 10th day of July, 2015

JUDGMENT

P.R.RAMACHANDRA MENON, J

The learned Counsel for the petitioner submits that, passing of the final order by the Tribunal as borne by Annexure A8 dated 22.7.2014 was unfortunately omitted to be brought to the notice of the concerned Bench, while passing Annexure AIX verdict dated 27.01.2015 in O.P.(KAT).4007/2012 (in respect of the interim order passed by the Tribunal, ordering the petitioner to be subjected to "BERA test"). The learned Counsel for the petitioner seeks permission for withdrawal of the original petition without prejudice to the right and liberties to move to the concerned Court by way of appropriate proceedings. Accordingly, the original petition is dismissed as withdrawn.

**Sd/-
P.R.RAMACHANDRA MENON
JUDGE**

**Sd/-
ANU SIVARAMAN
JUDGE**

//TRUE COPY//

PA TO JUDGE

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