

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

RP.No. 1002 of 2015 () IN WP(C).11961/2006

**AGAINST THE JUDGMENT IN WP(C) NO.11961/2006 OF HIGH COURT OF KERALA
DATED 25.09.2015**

REVIEW PETITIONER(S)/WRIT PETITIONER:

1. **T. GEETHAKUMARI, AGED 50 YEARS
W/O.MADHUSOODHANAN, WORKING AS ANGANAVADI HELPER
CENTRE NO. NR-2, NEDUVATHOOR, KOTTARAKKARA
RESIDING AT PALATHUTHITAVEEDU, POVATHOOR WEST
MAVADI P.O., KOTTARAKKARA.**
2. **SMT. C.VASANTHAKUMARI D/O. SHANKARAN, AGED 53 YEARS
WORKING AS HELPER C.NO. NR-3, PALATHUTHITAVEEDU
KOTTARAKKARA, RESIDING AT PERUMPALLIL PADINJAREPUZHA
KULAKKADA EAST P.O., KOTTARAKKARA**
3. **SMT.K.RAJESWARY, AGED 46 YEARS
W/O. HARIKUMAR, NOW WORKING AS ANGANWADI WORKER
C.NO.95, PAVITHRESWARAM PANCHAYATH
RESIDING AT MUNDAKKAL VEEDU, THAZHATHUKULAKADA P.O.,
KULAKKADA.**
4. **SMT. T.RAHEL, W/O. KUNJACHAN D., AGED 46 YEARS
WORKING AS ANGANAVADI HELPER, C.NO.175, KULAKKADA P.O.
PANAVELI, VETTIKAVALA, RESIDING AT MUNDAKKALAZHIKATHMELTHIL
POOVATTOOR WEST, MAVADI P.O.
KOTTARAKKARA.**
5. **SMT.S.SREEKALA, D/O. GOPALA PILLAI, AGED 39 YEARS
WORKING AS ANGANAVADI HELPER, C.NO.NR-4, NEDUVATHOOR
KOTTARAKKARA, RESIDING AT PUTHENVEEDU, POOVATTOOR WEST
MAVADI P.O., KOTTARAKKARA.**
6. **K.CHANDRAMATHIAMMA, W/O. BALAN PILLAI, AGED 66 YEARS
ANGANAVADI HELPER (NOW RETIRED), C.NO.22
INJIKKAL PANAVELI, VETTIKAVALA, RESIDING AT
KIZHAKKEKARA VEEDU, SADANANDAPURAM, KOTTARAKKARA.**

BY ADV. SRI.N.UNNIKRISHNAN

[contd...]

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RESPONDENT(S)/RESPONDENTS:

- 1. THE DIRECTOR
FAMILY AND SOCIAL WELFARE DEPARTMENT, VIKASBHAVAN
THIRUVANANTHAPURAM 695 033.**
- 2. THE CHILD DEVELOPMENT PROJECT OFFICER
ICDS, PANAVELI, VETTIKAVALA
KOLLAM 691 538.**
- 3. THE CHILD DEVELOPMENT PROJECT OFFICER
ICDS, KOTTARAKKARA 691 506.**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 23-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

RPNo. 1002 of 2015 () IN WP(C).11961/2006

APPENDIX

PETITIONER'S EXHIBITS :-

- ANNEXURE-1 - COPY OF THE INTERIM ORDER IN WP(C) NO.11196/2006
DATED 28.04.2006.
- ANNEXURE-2 - COPY OF THE ORDER NO.A2/404/06 DATED 26.05.2006 ISSUED
BY THE 3RD RESPONDENT.
- ANNEXURE-3 - COPY OF THE LETTER DATED 07.06.2006 ADDRESSED TO THE
2ND RESPONDEDNT
- ANNEXURE-4 - COPY OF LETTER DATED 26.06.2006.
- ANNEXURE-5 - COPY OF JUDGMENT DATED 25.09.2015 IN WP(C) NO.11961/06.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

R.P. No.1002 of 2015-Y

In

W.P(C). No.11961 of 2006-Y

Dated this the 23rd day of November, 2015.

ORDER

The petitioners are aggrieved with the fact that the petitioners, who had been allegedly working as Anganwady Helpers, have not been paid the honorarium and other benefits between 01.07.1996 and 01.11.1997, This Court, by judgment, sought to be reviewed, found that the consideration directed as per the interim order has been made and the petitioners have not challenged it.

2. The learned counsel for the petitioners, had produced Annexure A2 order, which was produced by the learned Government Pleader across the Bar, at the time of disposal. It is contended that no consideration on merits, has been made thereunder. A reading of Annexure A2 order would indicate that

the authority has found that the request of the petitioner is not admissible, since they were not working in the ICDS, Kottarakkara during the period. The same is a question of fact, which has been verified by the authority from the records of the authority. It is also to be noticed that the claim for wages between 1996 and 1997 was first raised before this Court in the year 2006.

3. In such circumstances, this Court does not find any other ground, which could be considered by the authority as per the interim order. The authority having found that they were not working and that the petitioners having not challenged the said order; despite it having been served on them in 2006-2007, nothing survives in the writ petition and this Court does not find any reason for review also.

The review petition is dismissed. No costs.

Sd/-
K. VINOD CHANDRAN,
JUDGE.
//True Copy//

P.A. to Judge.