

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

OP.No. 19078 of 2001 (U)

PETITIONER:

**TRESA ANTONY, JOE VILLA,
PALLITHODE P.O., CHERTHALA**

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:

- 1. COMMISSIONER FOR SUBSISTENCE ALLOWANCE
KAKKANADU, ERNAKULAM.**
- 2. MANAGER, PUBLIC SCHOOL PATTANAKKADU**
- ADDL. RESPONDENT IMPLEADED**
- * 3. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT
LABOUR DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM**

**ADDL.R3 IMPLEADED AS ADDITIONAL 3RD RESPONDENT AS PER ORDER
DATED 2.7.2002 IN CMP 34139/2001**

**R,R2 BY ADV. SRI.J.JULIAN XAVIER
R,R2 BY ADV. SRI.FIROZ K.ROBIN
R,R2 BY ADV. SRI.RAJESH THOMAS
R,R2 BY ADV. SRI.P.PAULCHAN ANTONY**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP.No. 19078 of 2001 (U)

APPENDIX

PETITIONER'S EXHIBITS

- P1: TRUE COPY OF THE ORDER DATED 18.5.2000 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER**
- P2: TRUE COPY OF THE ORDER DATED 5.12.2000 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER**
- P3: TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE COMMISSIONER FOR SUBSISTENCE ALLOWANCE, ERNAKULAM**
- P4: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE SECRETARY TO GOVERNMENT, LABOUR DEPARTMENT, THIRUVANANTHAPURAM DATED 24.6.2001**

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

O.P. No. 19078 of 2001 (U)

Dated this the 2nd day of December, 2015

J U D G M E N T

The petitioner, who was working in the 2nd respondent school, is said to have been suspended by Ext.P1 and subsequently terminated by Ext.P2. The petitioner's claim is for subsistence allowance and the petitioner, when filing the writ petition in 2001, prayed that Ext.P3 may be directed to be considered. Ext.P2 order of dismissal is dated 5.12.2000. There is not even a date specified in Ext.P3. It is not clear whether the petition was pending before the Commissioner for subsistence allowance and if it was so pending, the petitioner should have pursued the same before the Commissioner itself. At this distance of time this Court is not inclined to issue any direction.

The Writ petition would stand dismissed. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE