

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

WP(C).No. 3528 of 2014 (M)

PETITIONER(S):

PADMAPRASAD K.,
S/O.RAMAN, AGED 38 YEARS, KARUVANTHODI HOUSE,
POOKOTTUPADAM P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.U.K.DEVIDAS.

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
INFORMATION TECHNOLOGY DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. THE DIRECTOR,
KERALA STATE INFORMATION TECHNOLOGY MISSION,
VELLAYAMBALAM, THIRUVANANTHAPURAM - 695 001.
3. THE SECRETARY,
AKSHAYA PROJECT, MALAPPURAM P.O.,
PIN - 676 505.
4. THE DISTRICT COLLECTOR
MALAPPURAM - 676 505.

R3 BY ADV. GOVERNMENT PLEADER SRI.JIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1 TRUE COPY OF THE LETTER DATED 31-01-2013 ISSUED BY THE THIRD
RESPONDENT.

EXHIBIT P2 TRUE COPY OF THE RECEIPT DATED 06-07-2013 ISSUED FROM THE
OFFICE OF THE FOURTH RESPONDENT.

EXHIBIT P3 TRUE COPY OF THE LETTER DATED 23-07-2013 ISSUED BY THE THIRD
RESPONDENT.

EXHIBIT P4 TRUE COPY OF THE APPLICATION FOR REDUCTION CERTIFICATE AND FOR
ISSUANCE OF A RATION CARD DATED 21-01-2014.

EXHIBIT P5 TRUE COPY OF THE CERTIFICATE DATED 02/08/2011.

EXHIBIT P6 TRUE COPY OF THE REPRESENTATION DATED 27-07-2013 ISSUED BY THE
THIRD RESPONDENT.

EXHIBIT P7 TRUE COPY OF THE PETITION STATUS.

EXHIBIT P8 TRUE COPY OF THE SPECIMEN OF THE AGREEMENT BETWEEN THE
PETITIONER AND THIRD RESPONDENT.

EXHIBIT P9 TRUE COPY OF THE JUDGMENT DATED 02-08-2012 IN WPC NO 26635 OF
2011.

EXHIBIT P10 TRUE COPY OF THE CIRCULAR DATED 19-11-2013.

RESPONDENT(S) ' EXHIBITS :

EXHIBIT R3(A) TRUE COPY OF THE CLARIFICATION NOTICE DATED 02/02/2013.

EXHIBIT R3(B) TRUE COPY OF THE LETTER NO.AKS769/2013 DATED 19/03/2013.

EXHIBIT R3(C) TRUE COPY OF THE MINUTES OF THE MEETING HELD ON 24/07/2013.

/TRUE COPY/

P.A.TO JUDGE

rvs.

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 3528 of 2014

Dated this the 22nd day of September, 2015

J U D G M E N T

Petitioner approached against the termination of working of Akshaya Centre before this Court. The petitioner is continuing, by virtue of the interim order passed by this Court on 25.2.2014.

3. As per the agreement, the petitioner's remedy lies before the Government. Clause (g) general conditions particularly sub-clause (vi) stipulates reference of disputes to the Secretary (Department of Information Technology), Government of Kerala.

4. In that view of the matter, the petitioner shall get alternate remedy. If the petitioner approaches the Secretary, I.T.Department within two weeks from the date of receipt of a copy of this judgment, the grievance of the petitioner shall be considered within a further period of two months, after notice to the petitioner. Till a decision is taken by the authority as above, the interim order passed by this Court

will continue. If the Secretary, I.T.Department confirms the order of the original authority, the order shall be kept suspended for a period of two weeks, after communicating the same to the petitioner, to enable the petitioner to seek appropriate remedy.

This writ petition is disposed of as above.

sd/-
A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO.3528 OF 2014

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