

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

WP(C).No. 11895 of 2007 (R)

PETITIONER:

**FATHAHUDEEN M,TC 2/2033,PRA-30,
JEEVAN NAGAR, PATTOM, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.M.SREEKUMAR
SRI.M.SREEKUMAR
SRI.THOUFEEK AHAMED**

RESPONDENT(S):

- 1. THE HIGH COURT OF KERALA REPRESENTED BY
ITS REGISTRAR GENERAL HIGH COURT OF KERALA
ERNAKULAM.**
- 2. THE STATE OF KERALA REPRESENTED BY ITS
CHIEF SECRETARY SECRETARIAT, THIRUVANANTHAPURAM.**
- 3. THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

**R,R.1 BY ADV. SRI.KRB.KAIMAL (SR.)
R,R.1 BY ADV. SRI.B.UNNIKRISHNA KAIMAL
R BY GOVERNMENT PLEADER S M ABDUL KHADIR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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K.SURENDRA MOHAN, J.

W.P.(C) No.11895 of 2007-R

Dated this the 9th day of February, 2015

J U D G M E N T

This writ petition is filed seeking the following reliefs:-

- (i) to quash Clause (7) of Ext.P1 so far as it stipulates that during the period of training direct recruit appointees are entitled to allowance alone;
- (ii) to declare that the persons selected for appointment to the post of Munsiff-Magistrate in the Kerala Judicial Service is entitled for salary in the scale of pay during the period of training or in the alternative to direct the 2nd respondent to fix a reasonable amount as training allowance in the interest of justice;
- (iii) such other reliefs that this Hon'ble Court may deem fit;
- (iv) award the entire costs of this Writ Petition.

2. Exhibit P1 referred to in the first prayer is a notification dated 15.02.2007 by which applications were invited for appointment to the post of Munsiff - Magistrates in the Kerala Judicial Service. The petitioner was aggrieved by the stipulation in the said notification that the appointee would be entitled to allowance alone during the period of

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training. The said training period is over long back. It is pointed out by the counsel for the respondent that subsequently the Government has by the issue of Exhibit R1 (a) enhanced the amount of stipend from ₹2000/- to ₹9000/-. The above being the position, it is not necessary to issue any further directions in this writ petition. The same is therefore dismissed as infrutuous.

Sd/-
K.SURENDRA MOHAN,
JUDGE

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PATO JUDGE