

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No.9734 of 2015 (N)

PETITIONER:

**ANANDARAMA AITHAL,AGED 45 YEARS,
S/O.SUBRAMONY AITHAL,R/O.MATHRUKRUPA,
NO.17/11,2ND MAIN,12TH CROSS,WILSIN GARDEN,
BANGALORE - 560 030.**

**BY ADVS.SMT.A.G.ANEETHA
SMT.M.KABANI DINESH**

RESPONDENTS:

- 1. DIRECTOR OF STATE LOTTERIES,
VIKAS BHAVAN,THIRUVANANTHAPURAM - 695 033.**
- 2. STATE OF KERALA,REPRESENTED BY SECRETARY,
TAXES - H DEPARTMENT,THIRUVANANTHAPURAM -695 001.**

R1 & R2 BY SENIOR GOVT. PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF VOTER ID OF PETITIONER.

EXT.P2: COPY OF LOTTERY TICKET.

**EXT.P3: COPY OF RECEIPT ISSUED FROM 1ST RESPONDENT COLLECTING
ORIGINAL TICKET.**

EXT.P4: COPY OF REMINDER DATED 23/04/2012.

EXT.P5: COPY OF REPLY DATED 19/05/2012 FROM 1ST RESPONDENT.

**EXT.P6: COPY OF LETTER DATED 03/06/2012 BY PETITIONER SUBMITTING
DETAILS.**

EXT.P7: COPY OF REMINDER DATED 23/09/2012.

**EXT.P8: COPY OF COMMUNICATION DATED 12/11/2012 RECEIVED FROM 1ST
RESPONDENT.**

EXT.P9: REPLY DATED 20/11/2012 SENT TO EXT.P8.

EXT.P10: REMINDER DATED 13/03/2013 SENT TO 1ST RESPONDENT.

**EXT.P11: COPY OF ORDER DATED 10/04/2013 FROM 1ST RESPONDENT
REJECTING CLAIM.**

**EXT.P12: COPY OF APPEAL FILED BEFORE 2ND RESPONDENT
DATED 29/04/2013.**

EXT.P13(a): COPY OF REMINDER DATED 16/06/2013 SENT TO 2ND RESPONDENT.

EXT.P13(b): COPY OF REMINDER DATED 02/08/2013 SENT TO 2ND RESPONDENT.

EXT.P13(c): COPY OF REMINDER DATED 05/11/2013 SENT TO 2ND RESPONDENT.

EXT.P13(d): COPY OF REMINDER DATED 06/01/2014 SENT TO 2ND RESPONDENT.

EXT.P13(e): COPY OF REMINDER DATED 23/06/2013 SENT TO 2ND RESPONDENT.

EXT.P13(f): COPY OF REMINDER DATED 04/08/2014 SENT TO 2ND RESPONDENT.

**EXT.P14(a): COPY OF REPRESENTATION DATED 05/11/2013 SENT TO 1ST
RESPONDENT.**

**EXT.P14(b): COPY OF REPRESENTATION DATED 06/01/2014 SENT TO 1ST
RESPONDENT.**

**EXT.P15(a): COPY OF REPLY DATED 25/11/2013 RECEIVED FROM 1ST
RESPONDENT.**

W.P(C) NO.9734/2015

**EXT.P15(b):COPY OF REPLY DATED 22/01/2014 RECEIVED FROM 1ST
RESPONDENT.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No.9734 of 2015

Dated this the 9th day of April, 2015

JUDGMENT

Non-payment of the prize amount in respect of the 'Karunya lottery' to the petitioner, is the subject matter of challenge in this writ petition. It is stated that, the petitioner had taken the ticket bearing No.KR-197976 in respect of the particular draw and came to be successful on winning the lot. But, the payment has not been effected, despite the many an effort taken by the petitioner, who has been simply made to run from pillar to post. The claim of the petitioner was finally rejected as per Ext.P11 order passed by the 1st respondent. Though the petitioner approached the higher authorities concerned, including the Government, the same did not turn to be fruitful and hence the writ petition.

2. The nature of contention raised by the respondents as discernible from Ext.P11 is not liable to be sustained in view of

the law declared by this Court as per the decision reported in 2014 (2) KLT 943, submits the learned counsel for the petitioner.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, this Court finds that the issue is now pending consideration before the 1st respondent, who has to consider the matter afresh, in the light of the law declared by this Court as aforesaid. So as to facilitate such exercise, Ext.P11 order will stand set aside and the 1st respondent is directed to reconsider the matter, pass appropriate orders as mentioned above, after hearing the petitioner, at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 1st respondent, for further steps.

The writ petition is disposed of.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

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