

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 17364 of 2007 (P)

PETITIONER(S):

**K.ABDULLA, S/O.K.MOHAMMAD,
AGED 44 YEARS, KOLLOLI VEEDU, MEENANGADI (POST)
SULTHAN BATHERY TALUK, WAYANADU.**

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENT(S):

- 1. STATE OF KERALA REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, GOVERNMENT OF KERALA
DEPARTMENT OF LOCAL SELF GOVERNMENT
THIRUVANANTHAPURAM.**
- 2. THE DEPUTY DIRECTOR OF PANCHAYAT,
O/O THE DEPUTY DIRECTOR OF PANCHAYAT.**
- 3. MEENANGADI GRAMA PANCHAYAT,
REPRESENTED BY IT'S SECRETARY, MEENANGADI (PO)
SULTHAN BATHERY TALUK, WAYANADU.**

**R3 BY ADV. SRI.ASOK M.CHERIAN
R1 & R2 BY ADV. P.V.ELIAS, GOVERNMENT PLEADER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P-1: TRUE COPY OF THE DECISION NO. 410/98 DATED 21.11.1998 BY WHICH PETITIONER WAS APPOINTED IN THE VACANCY OF PART TIME LIBRARIAN WITH EFFECT FROM 23.11.98.
- EXT. P-2: TRUE COPY OF THE ORDER DATED 30.11.1998 BY WHICH PETITIONER WAS GIVEN CHARGE OF THE DISTRICT RESOURCE PERSON OF NINTH FIVE YEAR PLAN.
- EXT. P-3: TRUE COPY OF THE ORDER DATED 07.12.2001 BY WHICH PETITIONER WAS GIVEN CHARGE AS ASSISTANT CO-ORDINATOR OF FIVE YEAR PLAN FOR THE PERIOD BETWEEN 2002-07.
- EXT. P-4: TRUE COPY OF THE ORDER DATED 05.09.2003 ISSUED BY THE PRESIDENT OF THE 3RD RESPONDENT PANCHAYATH.
- EXT. P-5: TRUE COPY OF THE RECEIPT DATED 09.09.2003 BY WHCIH KUDUMBASREE COMMUNITY DEVELOPMENT SOCIETY ACCEPTED 2 QUINTAL NEWS PAPER FROM THE PETITIONER.
- EXT. P-6: TRUE COPY OF THE ORDER DATED 31.10.2004 BY WHCIH PETITIONER WAS GIVEN CHARGE AS THE ASSISTANT CO-ORDINATOR OF THE TEAM OF JAGARATHA SAMITHI.
- EXT. P-7: TRUE COPY OF THE RECEIPT DATED 20.01.2005 BY WHCIH PANCHAYATH SOLD NEWS PAPERS VALUED RS. 1052 TO THE KERALA BEVERAGES CORPORATION.
- EXT. P-8: TRUE COPY OF THE COMMUNICATION DATED 06.02.2006 BY WHCIH EXPLANATION WAS SOUGHT FROM THE PETITIONER BY THE 3RD RESPONDENT ON THE BASIS OF THE STOCK VERIFICATION REPORT.
- EXT. P-9: TRUE COPY OF THE REPLY DATED NIL WAS SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT.
- EXT. P-10: TRUE COPY OF THE LETTER DATED 22.06.2006 ISSUED TO THE PETITIONER DEMANDING RETURN OF THE BOOKS AND VALUE OF THE NEWS PAPERS.
- EXT. P-11: TRUE COPY OF THE REPLY DATED 07.07.2006 SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT.
- EXT. P-12: TRUE COPY OF THE RECEIPT DATED 07.07.2006 BY WHCIH THE 3RD RESPONDENT ACCEPTING 312 BOOKS FROM THE PETITIONER.
- EXT. P-13: TRUE COPY OF THE DECISION NO. 277 (1)/06 DATED 06.10.2006 TO TERMINATE THE SERVICE OF THE PETITIONER WITH EFFECT FROM 07.07.06.

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- EXT. P-14: TRUE COPY OF THE CONSEQUENTIAL ORDER OF THE 3RD RESPONDENT DATED 07.10.2006 PURSUANT TO THE DECISION NO. 277 (1)/06.
- EXT. P-15: TRUE COPY OF THE RECEIPT DATED 17.10.2006 ISSUED BY THE 3RD RESPONDENT BY WHICH PETITIONER RETURNED 58 BOOKS.
- EXT. P-16: TRUE COPY OF THE RECEIPT DATED 25.10.2006 ISSUED BY THE 3RD RESPONDENT BY WHICH PETITIONER RETURNED 3 BOOKS.
- EXT. P-17: A TRUE COPY OF THE BYE LAWS OF THE MEENANGADI LIBRARY CUM READING ROOM.
- EXT. P-18: TRUE COPY OF THE REPRESENTATION DATED 08.11.2006 SUBMITTED BY THE PETITIONER BEFORE THE 1 ST RESPONDENT.
- EXT. P-19: TRUE COPY OF THE REPRESENTATION DATED 08.11.2006 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT. P-20: TRUE COPY OF THE JUDGMENT DATED 01.12.2006 IN W.P.(C) NO. 29498/06 OF THIS HONOURABLE COURT DIRECTING THE 1ST RESPONDENT TO PASS ORDERS ON EXT. P-18 REPRESENTATION.
- EXT. P-21: TRUE COPY OF THE GOVERNEMENT ORDER DATED 13.04.2007.
- EXT. P-22: TRUE COPY OF THE DECISION DATED 24.04.2007 OF THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS

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- EXT. R(a): A TRUE COPY OF THE ORDER APPOINTING SHRI. PEETHAMBARAN AS PART TIME LIBRARIAN DATED 22.08.2007.

//TRUE COPY//

P.A. TO JUDGE

ANIL K. NARENDRA, J.

W.P.(C) No.17364 of 2007

Dated this the 19th day of June, 2015

JUDGMENT

It is submitted by the learned counsel for the petitioner that the petitioner has challenged a subsequent order passed by the respondents in another writ petition, which has already been transferred to the Kerala Administrative Tribunal. Therefore, the learned counsel submits that the writ petition can be closed leaving open all the contentions raised by the petitioner.

Recording the aforesaid submission made by the learned counsel for the petitioner, this writ petition is closed leaving open all the contentions raised by the petitioner.

sd/-
ANIL K. NARENDRA,
JUDGE