

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937**

**WP(C).No. 10375 of 2015 (V)**  
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**PETITIONER:**  
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**MURALI, AGED 51,  
S/O.LATE VELAYUDHAN NAIR,  
VADAKKE VELUTHEDATH HOUSE,  
NATTIKA VILLAGE, CHAVAKKAD THALUK,  
THRISSUR DISTRICT.**

**BY ADV. SRI.P.A.CHANDRAN**

**RESPONDENT(S):**  
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- 1. THE COCHIN DEVASWOM BOARD,  
REPRESENTED BY THE SECRETARY,  
HQ NORTH ROUND, THRISSUR - I.**
- 2. MANAGER,  
THRIPRAYAR DEVASWOM, THRIPRAYAR,  
THRISSUR DISTRICT - 680 567.**

**R1 BY ADV. SRI.UNNIKRISHNAN V.ALAPATT, SC  
BY SRI.KRISHNA MENON, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**mbr/**

APPENDIX

PETITIONER(S)' EXHIBITS:  
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- EXT. P1 : TRUE COPY OF THE SANCTION ORDER DATED 26.8.1988 ISSUED BY  
THE 1ST RESPONDENT.
- EXT. P2 : TRUE COPY OF THE DEATH CERTIFICATE OF PETITIONER'S FATHER  
DATED 20.11.2013.
- EXT. P3 : TRUE COPY OF PETITIONER'S APPLICATION DATED 11.1.2014 GIVEN  
BY PETITIONER TO THE 2ND RESPONDENT.
- EXT. P4 : TRUE COPY OF THE UNREGISTERED OSYATH DATED 2.2.2013  
EXECUTED BY PETITIONER'S LATE FATHER.
- EXT. P5 : TRUE COPY OF THE ORDER NO.M.4.1351/14 DATED 4.9.2014 OF THE  
1ST RESPONDENT BOARD.
- EXT. P6 : TRUE COPY OF THE REGISTERED LETTER DATED 25.3.2015 SENT BY  
PETITIONER IN OBJECTION TO EXHIBIT P5.

RESPONDENT(S)' EXHIBITS: - NIL  
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/TRUE COPY/

P.S. TO JUDGE

mbr/

**A. MUHAMED MUSTAQUE, J.**

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**W.P.(C) No.10375 of 2015**  
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Dated this the 31<sup>st</sup> day of March, 2015

**JUDGMENT**

The petitioner has approached the Cochin Devaswom Board by Ext.P6. The grievance of the petitioner is that his family was doing 'mattalak' services for the time immemorial and the petitioner was also doing the same from last year as well, before his father Velayudhan Nair died. The petitioner's request has been rejected by Ext.P5, stating that the petitioner was unable to produce any documents. I am of the view that if the petitioner was unable to produce any documents, the Board shall conduct an enquiry to find out whether this 'mattalak' service is being rendered by the family of the petitioner as a customary right for the time immemorial.

2. There shall be a direction to the Board to consider whether Ext.P5 is based on any material placed by the petitioner or based on an enquiry conducted in this regard. Needful shall be done within a period of two months from the date of receipt of a

copy of this judgment. It is open for the Board to consider engagement of the petitioner for this year, if otherwise required.

The writ petition is disposed of as above.

Sd/-  
**A. MUHAMED MUSTAQUE,**  
**JUDGE.**

//true copy//

P.S. to Judge

st/-