

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

WP(C).No.13754 of 2014 (T)

PETITIONERS:

1. **H.GOPALAKRISHNA BHAT,HEAD CLERK,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
2. **C.H.RAMACHADRA BHAT,HEAD ACCOUNTANT,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
3. **B.N.SUBRAMANYA,U.D.CLERK,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
4. **K.SRIKRISHNA,U.D.CLERK,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
5. **K.SHYAMA MADHYASTA,U.D.CLERK,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
6. **K.M.VENUGOPALAN,U.D.CLERK,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
7. **C.VENUGOPALAN,L.D.CLERK,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
8. **P.PUSHPA,LAST GRADE EMPLOYEE,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
9. **T.M.NARAYANAN NAMBISHAN,LAST GRADE EMPLOYEE,
SREE MADANANDHESWARA TEMPLE,MADHUR,KASARAGOD.**
10. **VINODKUMAR.A.N,SECURITY GUARD,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**
11. **RAVEENDRAN,SECURITY GUARD,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.**

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12. P.ANEESH,SECURITY GUARD,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.
13. M.P.CHANDRAN,L.D.CLERK,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.
14. T.V.RAMESHKUMAR,DRIVER,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.
15. A.PUSHPA,SWEEPER,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD.

BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA
SMT.D.S.THUSHARA

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVT.,
REVENUE AND DEVASWOMS,
THIRUVANANTHAPURAM-695 001.
 2. COMMISSIONER,MALABAR DEVASWOM BOARD,
HOUSEFED COMPLEX,ERANHIPALAM,
KOZHIKODE-673 006.
 3. THE ASSISTANT COMMISSIONER,
MALABNAR DEVASWOM BOARD,
KASARAGOD-671 121.
 4. THE EXECUTIVE OFFICER,
SREE MADANANDHESWARA TEMPLE,
MADHUR,KASARAGOD-671 124.

R1 BY GOVT. PLEADER SRI.S.JAMAL
R2,R3 BY SRI.K.R.SUNIL,SC,MALABAR DEVASWOM BOARD.
R4 BY ADVS.SRI.SURESH KUMAR KODOTH
SRI.K.P.ANTONY BINU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT-P1:TRUE COPY OF THE JUDGMENT IN OP 14574/98 DATED 25/8/2013.

**EXHIBIT-P2:TRUE COPY OF THE ORDER PASSED BY THE COMMISSIONER,HR &
CE NO.FRJ5/6055/2003/K.DIS DATED 7/10/2003.**

**EXHIBIT-P3:TRUE COPY OF THE ORDER NO.A1 2436/96 DATED 15/10/2003.
ISSUED BY ASST.COMMISSIONER,HR & CE,KASARAGOD.**

**EXHIBIT-P4:TRUE COPY OF THE LETTER ISSUED BY THE GOVT.
DATED 22/12/2007.**

**EXHIBIT-P5:TRUE COPY OF THE ORDER PASSED BY THE COMMISSIONER, HR &
CE DATED 8/1/2008.**

EXHIBIT-P6:TRUE COPY OF THE GO(P) NO.85/2011 FIND DATED 26/2/2011.

**EXHIBIT-P7:TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE 4TH RESPONDENT DATED 23.1.2012.**

**EXHIBIT-P8:TRUE COPY OF THE REPRESENTATION DATED 2/2/2012 SUBMITTED
BY THE 4TH RESPONDENT BEFORE THE 2ND RESPONDENT.**

**EXHIBIT-P9:TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE IST
PETITIONER BEFORE THE 4TH RESPONDENT DATED 4/6/2013.**

**EXHIBIT-P10:TRUE COPY OF THE REPRESENTATION DATED 11/7/2013 BY THE
4TH RESPONDENT BEFORE THE 2ND RESPONDENT.**

**EXHIBIT-P11:TRUE COPY OF THE GOVT.LETTER ISSUED BY GOVT.
DATED 25/7/2012**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.13754 of 2014

Dated this the 16th day of February, 2015

J U D G M E N T

The petitioners are employees of Sree Madanandheswara Vinayaka temple, Madhur at Kasargod. They approached this Court to give effect to the pay revision order passed by the Government as per Ext.P6. This pay revision came into effect from 1.7.2009.

2. The petitioners relies on earlier pay revision granted to them with effect from 1.1.2005 as per Ext.P5. The petitioner also points out at Ext.P11 where the Government have given sanction for special grade temple such as Peralisseri, Mammiyoor, Pisharikave Shri.Thirumandhamkunne Bhagavathi temple. The petitioner also submits that their temple is also special grade. Therefore, they are also entitled for pay revision based on Ext.P6.

3. In this matter a statement has been filed on behalf of respondents. It is stated that as per the direction of the Government, the Malabar Devaswom Board in its decision on 23.5.2014 has decided that only after conducting a detailed study of

the matter, a decision can be taken.

4. I do not find any reason to deny pay revision to the petitioner in this matter. Petitioners have been given pay revision for the year 1998 and 2008. The similarly situated special grade temples were also given pay revision as revealed from Ext.P11. In view of the above, Ext.P6 order shall be implemented in Sree Madanandheswara Vinayaka temple, Madhur at Kasargod within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed.

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**A.MUHAMED MUSTAQUE,
JUDGE**

jm/