

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 25972 of 2005 (P)

PETITIONER:

**SATHEESAN.R.,
AGED 35 YEARS, S/O.K.V.NARAYANA MARAR, VADYAM(DRUMMER)
IRINGANNUR MAHASIVA TEMPLE, VADAKARA, KOZHIKODE.**

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:

- 1. STATE OF KERALA, REP. BY THE
SECRETARY, DEVASWOM, TRIVANDRUM.**
- 2. COMMISSIONER,
H. R & C. E., CALICUT.**
- 3. DY. COMMISSIONER (ADMINISTRATION)
H. R & C. E., KOZHIKODE.**
- 4. EXECUTIVE OFFICER,
SREE KALIYAMVELLI GROUP TEMPLES, P.O.EDACHERRY
VADAKARA, KOZHIKODE DISTRICT.**

**R2-R3 BY ADV. SRI.K.MOHANAKANNAN,SC,MALABAR DEVASWOM
R4 BY ADV. SRI.K.V.SOHAN
R4 BY ADV. SMT.SREEJA SOHAN.K.
R2 TO 3 BY ADV. SRI.N.MANOJ KUMAR,SC,MALABAR DEVASWOM
R2 & 3 BY ADV. SRI.KRISHNAKUMAR.S, SC, MALABAR DEVASWOM BOARD
R1 BY GOVERNMENT PLEADER SRI. S JAMAL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- P1: PHOTOCOPY OF APPOINTMENT ORDER ISSUED TO THE PETITIONER
DT.23.4.2004**
- P2: PHOTOCOPY OF TABLE SHOWING SALARY PAID TO THE EMPLOYEES
DT.30.8.2005**
- P3: PETITIONER'S APPLICATION TO BE INCLUDED IN THE WELFARE FUND DATED
22.3.2005**
- P4: PHOTOCOPY OF DOCUMENT EVIDENCING PAYMENT OF SALARY TO THE
PETITIONER DATED 30.8.2005**
- P5: PHOTOCOPY OF DOCUMENT EVIDENCING PAYMENT OF THE SALARY**
- P6: PHOTOCOPY OF COMMUNICATION OF THE EXECUTIVE OFFICER DT.29.8.2005**
- P7: PHOTOCOPY OF ORDER OF THE COMMISSIONER DTD.12.7.2005 BEARING
NO.H.R.H.2-2871/04 (LDIS)**

RESPONDENT'S EXHIBITS

- R4(A) TRUE COPY OF THE NOTICE DT.1.3.2004 PUBLISHING THE NOTICE CALLING
FOR APPLICATIONS.**
- R4(B) TRUE COPY OF THE SHOW CAUSE NOTICE ISSUED BY THE COMMISSIONER,
HR & CE TO THE THEN EXECUTIVE OFFICER DT.1.11.2004**
- R4(C) TRUE COPY OF THE REPLY DT.24.11.11 SUBMITTED BY THE THEN EXECUTIVE
OFFICER BEFORE THE COMMISSIONER, HR & CE.**
- R4(D) TRUE COPY OF THE LETTER ISSUED BY THE SECRETARY TO THE
DEVASWOM DEPARTMENT TO THE COMMISSIONER OF HR & CE, DT.3.5.2006**
- R4(E) TRUE COPY OF THE LETTER ISSUED BY THE COMMISSIONER, HR & CE TO
THE EXECUTIVE OFFICER, DT.9.6.2006**

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 25972 of 2005 (P)

Dated this the 2nd day of December, 2015

J U D G M E N T

The petitioner was aggrieved with the termination by the 4th respondent. The termination is said to have been stayed by the State Government and the petitioner is continuing in the employment also.

2. In such circumstance, it may not be proper for this Court to pre-empt the Government by considering similar grievances raised by the petitioner in the above writ petition.

The writ petition would stand closed, leaving open the remedy of either parties to approach the Government for expeditious disposal. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE