

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 15990 of 2014 (W)

PETITIONER:

T.V. CHANDRASEKHARAN AGED 45 YEARS
S/O.SETHUMADHAVA WARRIER, THRIKKAIKUNNATH WARIAM
KADUVATTOM P.O., CHERPULASSERY, OTTAPPALAMTALUK
PALAKKAD.

BY ADV. SRI.K.RAVI (PARIYARATH)

RESPONDENTS:

1. THE COMMISSIONER
MALABAR DEVASWOM BOARD, HOUSE FED COMPLEX
ERANHIPPALAM (P.O), KOZHIKODE, PIN - 683 006.
2. THE MANAGING TRUSTEE
CHERPULASSERY AYYAPPANKAVU, DEVASWOM, CHERPULASSERY
PALAKKAD DISTRICT 678 001.

R1 BY ADV. SRI.PARTHASARATHY.B, SC, MALABAR DEVASWOM BOARD
R-R2 BY ADV. SRI.K.MOHANAKANNAN
R-R2 BY ADV. SMT.A.R.PRAVITHA
R-R2 BY ADV. SMT.D.S.THUSHARA
R-R2 BY ADV. SRI.H.PRAVEEN (KOTTARAKARA)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: TRUE COPY OF THE ADVERTISEMENT CALLING UP ON PERSONS TO APPLY TO THE POST OF KAZHAKAM AND ADICHUTHALI AT CHERPULASSERY SREE AYYAPPAN KAVU DEVASWOM, PUBLISHED AT THE INSTANCE OF THE 2ND RESPONDENT DATED 5.2.09

EXT.P-2: TRUE COPY OF JUDGEMENT PASSED BY THIS HON'BLE COURT IN WPC NO.182/2009 DATED 2.1.09.

EXT.P-3: TRUE COPY ORDER PASSED BY THE 1ST RESPONDENT IN A.P.NO.2/09 DATED 7.4.09.

EXT.P-4: TRUE COPY OF THE DECISION TAKEN BY THE 2ND RESPONDENT WITH THE BOARD OF TRUSTEES DATED 15.5.09.

EXT.P-5: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 19.8.09.

EXT.P-6: TRUE COPY OF THE RESOLUTION TAKEN AT THE INSTANCE OF THE THEN MANAGING TRUSTEE AND THE BOARD OF TRUSTEES DATED 17.7.09.

EXT.P-7: TRUE COPY JUDGEMENT PASSED BY THIS HON'BLE COURT IN WPC NO.7409/2010 DATED 10.8.10.

EXT.P-8: TRUE COPY OF THE COMMUNICATION ISSUED AT THE INSTANCE OF THE CHIEF SECRETARY TO THE 1ST RESPONDENT DATED 10.9.12.

EXT.P-9: TRUE COPY OF THE ORDER PASSED AT THE INSTANCE OF THE 1ST RESPONDENT DATED 14.2.13.

EXT.P-10: TRUE COPY REPRESENTATION SUBMITTED AT THE INSTANCE OF THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 28.4.14.

EXT.P-11: TRUE COPY REPRESENTATION SUBMITTED AT THE INSTANCE OF THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 14.5.14.

EXT.P-12: TRUE COPY OF THE REPRESENTATION SUBMITTED AT THE INSTANCE OF THE PRESENT KAZHAKAKARS BEFORE THE 2ND RESPONDENT DATED 13.5.14.

RESPONDENT'S EXHIBITS:

R2 (A): TRUE COPY OF THE REPORT DATED 24.7.2014 SUBMITTED BY THE 2ND RESPONDENT.

TRUE COPY

PA TO JUDGE

Scl.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.15990 of 2014

Dated this the 8th day of April, 2015.

JUDGMENT

The petitioner has approached the first respondent by Ext.P11 claiming that requesting to proceed the selection process for appointment as Kazhakam, Adichuthali in Cherpulassery Sree Ayappan Kavu. It is submitted by the counsel for the second respondent that Ext.P1 notification was issued on 5.2.2009. Since, there were several litigations, it has not been finalised so far. They also made request before the first respondent and that report is produced as Ext.R2(a).

In the light of the above facts and circumstances, there will be a direction to the first respondent to consider Ext.P11 after advertizing to Ext.R2(a) report submitted by the second respondent within a period of two months after hearing the petitioner and the second respondent.

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

Scl.