

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

W.P.(C).No.27045 of 2005 (T)

PETITIONER(S):-

1. SURESH KUMAR P.K.G., S/O. R.GOPALAKRISHNAN,
'VANASREE', MANJAKALA,
AVANEESWARAM RS P.O., KUNNIKODE, KOLLAM.
2. VINOD.T.S., S/O.M.G.SURENDRAN NAIR,
CHANDRA BHAVAN, KRAD 26, KARAKULAM P.O.,
THIRUVANANTHAPURAM.

BY ADVS.SRI.N.RATHEESH
SMT.SUMA RATHEESH

RESPONDENT(S):-

- *1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY, SECRETARIAT
THIRUVANANTHAPURAM. (DELETED)
2. THE CHIEF EXECUTIVE AND DIRECTOR,
THENMALA ECO TOURISM PROMOTION SOCIETY, TC.15/1170,
VAZHUTHACADU, THIRUVANANTHAPURAM-14.
3. THE D.F.O., FOREST DEPARTMENT,
KOLLAM DISTRICT.
- * Addl.4. THE SECRETARY TO GOVERNMENT
FOREST DEPARTMENT, GOVERNMENT SECRETARIAT,
TRIVANDRUM.
- * Addl.5. THE SECRETARY TO GOVERNMENT,
TOURISM DEPARTMENT, GOVERNMENT SECRETARIAT,
TRIVANDRUM.
- * THE 1ST RESPONDENT IS DELETED FROM THE PARTY ARRAY
AND ADDL. RESPONDENTS 4 AND 5 ARE IMPEADED AS PER
ORDER DATED 13/10/2005 IN IA 14623/2005.

R2 BY ADV. SRI.A.ABDUL KHARIM
R3 TO R5 BY GOVERNMENT PLEADER SRI. S. JAMAL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
30-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

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| EXT.P1 | PHOTOCOPY OF THE BROCHURE PUBLISHED BY TEPS. |
| EXT.P2 | PHOTOCOPY OF THE PASS ISSUED FOR BOATING. |
| EXT.P3 | PHOTOCOPY OF THE PASS ISSUED FOR DEER
REHABILITATION CENTRE. |
| EXT.P4(a) | PHOTOCOPY OF THE ENTRIES IN THE PASS BOOK OF
THE FIRST PETITIONER WITH URUKKUNNU SERVICE CO-OP.
SOCIETY. |
| EXT.P4(b) | PHOTOCOPY OF THE ENTRIES IN THE PASS BOOK OF
THE 2ND PETITIONER WITH URUKKUNNU SERVICE CO-OP.
SOCIETY. |
| EXT.P5 | PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY
THE 1ST PETITIONER. |
| EXT.P6 | PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY
THE 2ND PETITIONER. |
| EXT.P7 | PHOTOCOPY OF THE JUDGMENT DATED 3.4.01 IN O.P.
NO.11702 OF 2001 OF THIS HON'BLE COURT. |
| EXT.P8 | PHOTOCOPY OF THE ORDER DT.11.7.01 PASSED BY THE
1ST RESPONDENT DISPENSING OF EXT.P6 REPRESENTATION. |
| EXT.P9 | PHOTOCOPY OF THE ORDER DT.11.7.01 PASSED BY THE
1ST RESPONDENT DISPOSING OF EXT.P7 REPRESENTATION. |
| EXT.P10 | PHOTOCOPY OF THE JUDGMENT DT.26.5.2005 IN O.P.
NO.25091 OF 2001-K OF THIS HON'BLE COURT. |
| EXT.P11 | PHOTOCOPY OF ORDER NO.TEPS/39/2005 DT.15.7.2005
OF THE CHIEF EXECUTIVE THENMALA ECO TOURISM
PROMOTION SOCIETY. |
| EXT.P12 | TRUE COPY OF JUDGMENT IN C.C.NO.426/2006 DT.23.5.2007
PASSED BY THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, PUNALUR. |
| EXT.P13 | TRUE COPY OF THE DEPOSITION OF PW2 IN C.C.NO.426/2006
DATED 27.4.2006 OF THE JUDICIAL FIRST CLASS MAGISTRATE
COURT-I, PUNALUR. |

EXT.P14 TRUE COPY OF APPLICATION SUBMITTED BY THE 1ST
PETITIONER BEFORE THE 2ND RESPONDENT DT.5.6.2007.

EXT.P15 TRUE COPY OF THE EXPERIENCE CERTIFICATE ISSUED BY
THE ASSISTANT WILD LIFE WARDEN DTD.15.3.2005 TO
THE 1ST PETITIONER.

RESPONDENT'S EXHIBITS:-

EXT.R2(a) TRUE COPY OF THE MINUTES OF THE MEETING OF THE
THENMALA ECOTOURISM PROMOTION SOCIETY HELD ON
12.1.2000.

EXT.R2(b) TRUE COPY OF THE ORDER GO(MS).NO.65/2001/GAD
DATED 7.3.2001.

vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.27045 of 2005-T

Dated this the 30th day of October, 2015

JUDGMENT

The petitioners claimed regularisation in the 2nd respondent-Society. The petitioners also apprehended termination, which was not interdicted by any stay order in the writ petition. The specific ground on which the petitioner's request for regularisation was rejected as per Exhibit P11 was that the petitioners were never appointed in the 2nd respondent. They are said to have been engaged by the Shenduruney Wildlife Division of the Kerala Forest Department and not by the 2nd respondent-Society. By Exhibit P11, the petitioners were directed to put forward their claim before the Kerala Forest Department. Without prejudice to such contention of the petitioners, the writ petition would stand dismissed. No costs.

Sd/-

K.Vinod Chandran
Judge.

vkul/-

[true copy]