

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

WP(C).No. 17957 of 2015 (T)

PETITIONERS:

1. B.PARAMESWARAN AGED 40
S/O.BHUVANACHANDRAN PILLAI, RAJ BHAVAN, PARAMESWARAM
MUDAKKAL PO, THIRUVANANTHAPURAM DISTRICT
2. VINOD
S/O.CHANDRASEKHARAN NAIR, PLAVILA VEEDU, PARAMESWARAM
MUDAKKAL PO, THIRUVANATHAPURAM DISTRICT

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS:

1. DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, NANATHANKODE
THIRUVANANTHAPURAM 695001
2. THE ASSISTANT DEVASWOM COMMISSIONER
TRVANCORE DEVASWOM BOARD, VARKALA GROUP
THIRUVANANTHAPURAM 695141
3. SUB GROUP OFFICER
KUTTOOR SUB GROUP, TRAVANCORE DEVASWOM BOARD, VARKALA
THIRUVANANTHAPURAM 695141

R1-R3 BY ADV. SRI.M.V.S.NAMBOOTHIRI, SC, TRAVANCORE DEVASWOM BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS:

EXT P1: TRUE COPY OF THE NOTICE OF THE 3RD RESPONDENT DATED NIL

EXT P2: TRUE COPY OF THE REPLY OF THE 1ST PETITIONER

EXT P3: TRUE COPY OF THE SHOW CAUSE NOTICE DATED 20.01.2015 TO THE PETITIONERS

EXT P4: TRUE COPY OF THE REPLY DATED 21.01.2015 TO EXT P3

EXT P5: TRUE COPY OF THE ORDER OF THE 3RD RESPONDENT DATED 01.05.2015

EXT P6: TRUE COPY OF THE APPEAL BEFORE THE 1ST RESPONDENT

RESPONDENT(S) ' EXHIBITS:NIL

**THOTTATHIL B. RADHAKRISHNAN &
SUNIL THOMAS, JJ.**

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W.P(C).No.17957 of 2015

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Dated this the 1st day of July, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

Heard learned counsel for the petitioners and learned standing counsel for the Travancore Devaswom Board.

2. Petitioners' complaint is that Ext.P6 appeal against Ext.P5 order is not being considered by the Commissioner of TDB. But, we see from Ext.P5 that it is only a communication by the Sub Group Officer about the contents of the decision of the Devaswom Commissioner which is referred to as item No.1 in Ext.P5. That being a decision of the Commissioner, if at all the petitioners seek to challenge it, they have to file an appeal to the TDB. Hence, Ext.P6 need not be considered by the Devaswom Commissioner. It is directed that the petitioners shall submit an appeal to the TDB within a period of one month from today against the decision of the Commissioner referred to in Ext.P5. That shall be considered by the Board appropriately, in accordance with law. To facilitate this, Sub Group Officer-in-charge, Kuttoor sub group is directed to give the petitioners a copy of the Commissioner's order which is referred to

as serial No.1 in Ext.P5. The copy of that order will be given to the petitioners within a week of the production of a copy of this judgment before the Sub Group Officer.

This writ petition is ordered accordingly.

Sd/-

THOTTATHIL B. RADHAKRISHNAN
Judge

Sd/-

SUNIL THOMAS
Judge

Sbna