

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

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

WP(C).No.23539 of 2009 (J)

PETITIONER:

**O.T.MADHU,S/O.O.T.RAGHAVAN NAMBIAR,
KURUVACHAD,PULPALLY,WYNAD.**

BY ADV.SRI.MOHAN C.MENON

RESPONDENT'S:

- 1. THE STATE OF KERALA,REP.BY ITS CHIEF SECRETARY,
SECRETARIAT,THIRUVANANTHAPURAM.**
- 2. THE MALABAR DEVASWOM BOARD,
KOZHIKODE,REP.BY ITS SECRETARY.**

R1 BY GOVT. PLEADER SRI.MANOJ P.KUNJACHAN.

**R2 BY SRI.K.MOHANAKANNAN,SC,MALABAR DEVASWOM
SRI.R.LAKSHMI NARAYANAN,SC,MALABAR DEVASWOM
SRI.V.KRISHNA MENON, SC, MALABAR DEVASWOM BOARD
SRI.KRISHNAKUMAR.S, SC, MALABAR DEVASWOM BOARD
SRI.K.R.SUNIL, SC, MALABAR DEVASWOM BOARD**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE ANNUITY PAYMENT ORDER, ISSUED BY THE 1ST RESPONDENT DATED 17.7.2008.

EXT.P1A:TRUE COPY OF THE INCOME AND EXPENDITURE STATEMENT FOR THE YEAR 2008.

EXT.P2:TRUE COPY OF THE ANNUITY PAYMENT ORDER DATED 29.8.83 ISSUED BY THE 1ST RESPONDENT.

EXT.P2A:TRUE COPY OF THE INCOME AND EXPEWNDITURE STATEMENT FOR THE YEAR 2008.

EXT.P3:TRUE COPY OF THE ANNUITY PAYMENT ORDER DATED 3.7.1996.

EXT.P3A:TRUE COPY OF THE INCOME & EXPENDITURE STATEMENT FOR THE YEAR 2008.

EXT.P4:TRUE COPY OF THE ANNUITY PAYMENT ORDER FOR THE YEAR 2008.

EXT.P4A:TRUE COPY OF THE STATEMENT OF INCOME AND EXPENDITURE FOR THE YEAR 2008.

EXT.P5:TRUE COPY OF THE AMENDMENT NOTIFICATION BY INSERTING A NEW SECTION, I.E. SECTION 67A TO THE KLR ACT.

RESPONDENT'S EXHIBITS:

EXT.R1(a):A TRUE COPY OF G.O(MS) NO.446/12/RD DATED 22.11.2012 MANIKKAVU DEVASWOM.

EXT.R1(b):A TRUE COPY OF G.O(MS) NO.474/12/RD DATED 13.12.2012 PURAKKADI DEVASWOM.

EXT.R1(c):A TRUE COPY OF G.O(MS) NO.15/13/RD DATED 15.1.2013 PULPALLY DEVASWOM.

EXT.R1(d):A TRUE COPY OF G.O(MS)NO.151/13/RD DATED 24.4.2013 VALLIYOORKAVU DEVASWOM.

EXT.R2(a):TRUE COPY OF THE GOVERNMENT NOTIFICATION NO.G.O(P) NO.12/2009/RD DATED 6.1.2009.

//TRUE COPY//

P.S. TO JUDGE

K. VINOD CHANDRAN, J.

W.P.(C) No. 23539 of 2009 (J)

Dated this the 1st day of July, 2015

J U D G M E N T

The petitioner seeks to agitate the cause of four Devaswom which came under Madras Hindu Religious and Charitable Endowment's Act, 2008 as it was in force then.

2. Admittedly, the same is a Public Interest Litigation and the petitioner cannot have any personal grievance in the matter. In any event, now the Malabar Devaswom Board Act, 2008 has come into force. In fact, the counter affidavit also indicates that the enhanced annuity has been fixed by Government Orders.

3. Hence, if any grievance still subsists, that too under the new enactment, then the petitioner would be entitled to move the appropriate authorities or even by a fresh Public Interest Litigation.

The writ petition is closed.

Sd/-
K.VINOD CHANDRAN,
JUDGE